THE ARGUMENTS OF *Monsieur Herard*, FOR Monsieur the Duke of *Mazarin*, AGAINST Madam the Dutchess of *Mazarin*, His SPOUSE.

AND THE

FACTUM FOR Madam the Dutchess of *Mazarin*, AGAINST Monsieur the Duke of *Mazarin*, Her HUSBAND.

By Monsieur *de St. Evremont.*

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THE PREFACE.

THE Reader may perhaps wonder, why at this time of day he is troubled with the Particulars of a Conteſt, which by its ſtanding may reaſonably have been long ſince ſuperannuated and forgotten. But, beſides that thoſe that retail Ink have uſually a different Opinion of their own Performances from

the reſt of the World, and conſequently Reaſons to themſelves, that 'twou'd be hard to convince others of, I was induc'd by two Conſiderations to make this Piece free of our Tongue. One is, that 'tis the only publick Specimen of the manner of Pleading in *France*, and perhaps the compleateſt, that cou'd have been procur'd of their Bar Eloquence, which it may be worth while to compare with our own, which is not ſo eaſily to be done in different Languages: The other is, that it contains a Defence of the Dutcheſs of *Mazarin*, written

ten by Monſieur St. *Evremont*, whoſe Works need no other Character, or Recommendation than his Name. I thought it pity, that any thing of his ſhou'd be denied to the *Engliſh* Reader, at a time, when all the reſt of his Works are Reprinting in *Engliſh*, with large Additions, never before Publiſh'd in any Language. I cou'd not doubt the Welcome, that the Productions of his Pen wou'd find from thoſe, that gave all his former Pieces ſo juſt, and ſo kind a Reception.

A more particular Account perhaps may be expected of

Monſieur *Herard*, whoſe Pleadings make up the greateſt part of this Book; but, beſides that I know nothing of him more than I can collect from his own Pleadings, 'tis ſufficient for the Reader to know, that he was an Advocate retain'd by the Duke, and had no other Intereſt in the Cauſe, than his Fees, or his Reputation as a Pleader at moſt. Nor will the Violence of his Declamation, his hard Inſinuations, and groſs Reflections upon the Dutcheſs ſurprize thoſe that are acquainted with the Practice of the Bar; they know, that all this buſtle is

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not for nothing, and that Gold will purchaſe a Wind there, ſurer than in *Lapland.*

As for his Performance, ſcarce any thing of Antiquity is more Artificial; his Charge is amplified, and exagerated with the Vehemence and Boldneſs of *Demoſthenes*, and his Suggeſtions inſinuated with the Art, and Addreſs of *Tully.* I don't pretend to equal him to either of thoſe matchleſs Orators, whom he may be allow'd to fall very far ſhort of in their ſeveral ways, and yet excell; but I may venture to ſay,

that he has not unſucceſsfully Copyed the Manner, and Graces of 'em both, at leaſt as far as the Modern way of Pleading, and the Genius of the *French* Nation and Language, will permit.

I ſhall not here attempt to foreſtall the Satisfaction of the Reader, by entring into a Compariſon between the *French*, and *Engliſh* Barr. I ſhall leave that to himſelf, who ought to have the Liberty of judging for himſelf, in order to which I lay before him the means. I ſhall only take the Liberty to obſerve one thing to him, which will,

will, if We ſhall be found to come tolerably near 'em, turn the Scale very much on our ſide; that is, that all their Pleadings, as appears by theſe, were ſtudied, labour'd Diſcourſes, compil'd at Leiſure, and ſpoken without Interruption; which muſt needs give 'em a vaſt Advantage, both in the Compoſing and Delivery, againſt our Lawyers, who perhaps Read their Brief over the firſt time at the Bar, and Argue the Caſe *Extempore.* This Method, tho' it may ſpoil the Eloquence of our Pleadings, prevents the puzling of the Cauſe by the

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Intricacy, which the falſe Colours of a ſtudied Harangue might Introduce.

One thing more I ought to take notice of, which may ſeem to require an Apology, which is, that I ſhou'd by this Verſion promote the ſpreading of theſe Pleadings, which are in a manner ſo many Libels, not only upon Madam *Mazarin*, but upon our King, and Nation.

I might indeed have left out thoſe rude, unmannerly Paſſages relating to our King, and Country; but, beſides that as a Tranſlator I cou'd not juſtifie ſuch a Liberty, I

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cou'd not diſcover any Reaſon ſo to do. For when we conſider out of what Mouth theſe Opprobrious Speeches come, a Mercenary *French* Advocate's, a profeſs'd Enemy of our Religion, and Nation in general, and our King in particular, with whom his Maſter was then at War, and who alone gave a Check to his Ambition; while they had amongſt 'em another Prince, whoſe Pretenſions upon our Crown, they us'd their utmoſt Endeavours by Arms to enforce upon us: What he has ſaid, no more affects the King, or Nation,

than

than the Yelping of ſenſeleſs Currs does the Moon, or the old Womans tit for tat, the Thunder, which ſhe farted againſt. But for another reaſon thoſe Paſſages cou'd not be omitted, becauſe they ſhew the true Spirit and Genius of the Advocate, and in ſome Meaſure of the whole *French* Nation, or at leaſt of the Court, when ſuch things come ſeriouſly to be pleaded before a ſolemn Bench of Juſtice, and obtain the King's Priviledge to be Printed.

Neither cou'd they have been left out without injuring Madam *Mazarin*, ſince

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by ſuch an Omiſſion, I ſhou'd have Repreſented the Duke's Advocate as a Man of more Candour than he is, and thereby perhaps have added weight to his Falſe, and Injurious Inſinuations concerning her.

As for the reſt of his Harangues, I think it no way to the Dutcheſſes's Diſadvantage, that they ſhou'd be ſeen to all the World. For notwithſtanding all the Art, that is us'd to conceal it, the Poyſon is too apparent for the Doſe to go down; or if any incautious Perſon ſhou'd ſwallow it, the Antidote is ready

ready at hand to expell it. One Advantage the Dutchess gains by these Declamations against her, which is, that the Truth of her Memoirs is incontestably establish'd. For they have not contradicted 'em in one material point of Fact, except in the Story of the Bishop of *Frejus*, which the Duke purges himself of, as well as he can, by a simple Negation. All that his Advocate insists upon is, that the Duke has not used her ill enough to warrant a Separation according to form of Law. Now he will allow nothing

nothing to be a juſtifiable Cauſe of Separation, but Cruelty; by which he means downright breaking her Bones. As if cauſeleſs Jealouſie, and Confinement, ſtudied Affronts, Vexations, Frights, and Fatigues, were not Cruelty enough to a Lady of her Quality, and Fortune, that brought him 1625000*l.* Sterling, and made him the richeſt Subject in *Europe*. His Advocate is pleas'd to dignifie his Spleen, and Enthuſiaſm with the Name of Devotion, which never ſuffer'd him to put a value upon any thing, that deſerv'd it; and conſe-

conſequently drove from him, that Treaſure of Beauty, and Wit, which all *Europe* knew how to Eſteem, but the ſtupid Poſſeſſor.

But I ſhall not attempt to prepoſſeſs the Reader; let him hear both ſides, and judge amiſs if he can.

THE

THE *Duke and Dutcheſs* OF Mazarin's CASE.

The ARGUMENT

For MONSIEUR, the Duke of Mazarin, } Plaintiff.

Againſt MADAM, the Dutcheſs of Mazarin, *his Spouſe,* } Defendant.

THE CASE.

MAdam, *the Dutcheſs of* Mazarin *made an Elopement from the Houſe of her Husband, and has left the Kingdom ever ſince the Year,* 1667.

After having been in divers Countries, ſhe ſetled at London, *under the Pretence of*

the Honour which ſhe had to be related to the Queen of England. *But their* Britannick Majeſties *being obliged by the Revolt of their People to quit* England, *and retire into* France, Monſieur *the Duke of* Mazarin *ſolicited his Wife to return into the Kingdom, and to his Houſe, offering to receive her, and forget all that was paſt.*

She obſtinately refus'd: Whereupon he preſented a Petition, and cauſed it to be Argued before the Great Council, till an Order was obtain'd, That during the unjuſt Elopement of the Dutcheſs, and her obſtinacy in abſenting her Self from her Houſe, and from the Kingdom, ſhe ſhou'd be depriv'd and diveſted of her Dower, and Right of Alimony.

To theſe Concluſions, at the beginning of the Cauſe, it was added,

That it ſhou'd be at the Diſcretion of the Council, to allot her a certain time to return into *France*, and to her Husband's Houſe; after which ſhe ſhou'd incur the Penalty of this Sentence without further delay, or Judgment to be given.

He demanded further,

That it might be lawful for him to ſeize her wherever he cou'd find her, and to cauſe her to be conducted to his own Houſe.

THE

THE ARGUMENT OF Monſieur HERARD.

GENTLEMEN,

AFTER the Information you have receiv'd from the Mouth of the Publick, of the Cauſes of Complaint given by Madam *Mazarin*, to Monſieur the Duke of *Mazarin*, for two and twenty years paſt, of her Elopement out of the Kingdom, and her long Abſence, of which I ſhall open the Circumſtances; I doubt not but you will be equally amaz'd at the Indulgence of Monſieur *Mazarin*, who endeavours to recover a Wife by whom he has been ſo unworthily treated; and at the obſtinacy of Madam *Mazarin*, who refuſes the Grace offer'd by her Husband, and makes more

difficulty of forgetting the Injuries ſhe has done him, then he of forgiving 'em.

How many Husbands wou'd have had ſo much Tenderneſs for a Wife, that had ſo far provok'd 'em? How many wou'd have ſhut their Gates againſt her, and, being in the Flower of their Years, depriv'd of the Sweets of Conjugal Society by her Caprice, wou'd at leaſt have given themſelves the Liberties and Diverſions of a ſingle Life, at an Age when they were moſt agreeable?

On the contrary, How many Wives are there, who after having ſo highly offended their Husbands, from whom they had receiv'd nothing but Honourable Treatment, wou'd earneſtly wiſh 'em ſo well diſpos'd to accord 'em a Title they ſo little deſerv'd, and allow 'em the benefit of a Sacrament, the Conditions of which they had ſo ill obſerv'd? How happy wou'd many think themſelves, to find after ſo many Rambles, ſo many ſuſpected courſes in the Houſes of their Husbands, an honourable Retreat, a ſafe Harbour from the Scandal of their paſt Lives?

I doubt not, GENTLEMEN, but this wou'd be the very Senſe of Madam

Mazarin

Mazarin her ſelf, nor but that ſhe cou'd eaſily reſume that Eſteem and Affection which ſhe formerly had for Monſieur *Mazarin*, if ſhe liſten'd to her own Reaſon and Intereſt, rather than the malicious Advice of one of her Family, whoſe hatred Monſieur *Mazarin* has the misfortune to lye under, without having drawn it upon himſelf.

Theſe are not the firſt Tracks of this Enemy of his Repoſe, which he has diſcover'd. You ſee, GENTLEMEN, by the Pieces which I have communicated to you, that by this dangerous Relation, Madam *Mazarin* was inſtigated to revolt, and favour'd in her Eſcape; and 'tis but too apparent, that 'tis he that ſtill keeps up in her this humour of Separation, and hinders her from taking the Advantage of the good Diſpoſition of my Client, to a Reconciliation.

Monſieur *Mazarin* therefore does not impute ſo much to Madam his Wife the Injuries ſhe has done him, her Coldneſs, and her apparent Slights, as to thoſe, that have infus'd this Humour into her; And this conſideration alone has induc'd him ſo eaſily to pardon her without requiring any other Satisfaction than that

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ſhe wou'd return home, and mend her Conduct.

He avows likewiſe, that while ſhe offer'd him the moſt cruel Outrages, he always took pains to juſtifie her to himſelf; and that he has ever preſerv'd a tenderneſs for her, that has baffled all her violent efforts to tear it from him: Judge therefore, GENTLEMEN, how dear ſhe muſt needs be to him, wou'd ſhe but return to her Duty, and reſume the Place due to her in his Houſe, and which is the only one that ſhe can fill with Honour.

But, ſince ſhe is deaf to the Voice of her Husband, ſince thro' ill Advice ſhe is obſtinate in her denyal of what is due to him, and to her ſelf, he is oblig'd to have recourſe to you, GENTLEMEN, who know her true Intereſt better than her ſelf, that your Prudence may ſupply the deficience of hers; that thro' the fear of thoſe Pains, which ſhe has made her ſelf obnoxious to, ſhe may be compell'd to accept thoſe Advantages which are offer'd her; and that you may, by a Law, oblige her to that which wou'd be her ſole deſire, if ſhe knew her own Intereſt.

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He deſires you to re-eſtabliſh betwixt his Wife, and him, that Commerce, which is the Principal End, and makes all the Happineſs of Marriage; that you wou'd knit again thoſe Sacred Knots; that you wou'd reunite two parts of the ſame Body which have been long ſince disjoyn'd, and can find no true repoſe, but in their Coalition.

As this Cauſe is altogether ſerious, and of the higheſt Importance, not only to Monſieur *Mazarin*, but to the Honour of the Publick, I ſhall handle it with that Sobriety, that it requires; and to conform to the humour of Monſieur *Mazarin* I ſhall decline, as much as poſſible, the ſaying any thing that may offend Madam *Mazarin*, or occaſion the Publick to make any Reflections to the Prejudice of her Vertue.

Monſieur the Cardinal of *Mazarin*, that Miniſter ſo enlighten'd, and ſo powerful in Wealth, and Authority, apprehending the approach of his End, was ſolicitous to find a Man, whom he might make Heir of his mighty Eſtate, and Name, one that might worthily ſupport the glory of the latter.

For this purpoſe he caſt his Eyes upon the Lords of the Court of the greateſt

Merit and Quality, for he might chooſe whom he pleas'd; there not being one, who wou'd not have been extreamly proud to have been his Choice. After having well conſider'd 'em all, he pitch'd upon Monſieur *de la Meilleraye*, and offer'd him Mademoiſelle *Hortenſia de Mancini* his Niece in Marriage, with a great part of his Wealth, and the hopes of ſucceeding him.

This Miniſter, who wanted no Penetration, muſt needs have beheld him with other Eyes, than thoſe which Madam *Mazarin* (or rather thoſe that poſſeſs her) wou'd have us look upon him with. The Judgment of ſo great a Man is a ſufficient Apology for my Client, a Teſtimony of Proof againſt all the Calumnies that this Cabal have ſpread in the World upon him, and which have been receiv'd in it, only through a malicious Pleaſure, that the common People take in hearing Scandal, and Raillery, eſpecially when it falls upon People that have the Reputation of Piety, and a more regular Life than other Men.

Monſieur the Cardinal inſerted one Article extraordinary into the Marriage Settlement; he does not give immediately to his Niece alone the Eſtate, which he

he ſettles upon the future Couple, but he gives 'em jointly to Monſieur, and Madam *Mazarin*; and to ſtrengthen his Gift, he in that very Clauſe of Gift expreſſes two Motives, one relating to Monſieur the Duke of *Mazarin*, the other to his Niece. *And in Conſideration*, ſays that Clauſe, *of the choice he has made of the aforeſaid Lord, her Husband, that is to be, to bear his Name, and Arms, and to teſtifie his Affection to the ſaid Lady his Niece, and in favour of the preſent Marriage, he gives to the ſaid Lord and Lady, future Spouſes*, &c. Theſe are the expreſs terms of the Clauſe.

This, GENTLEMEN, ought not to be look'd upon as a mark only of the particular Eſteem, that the Cardinal had for Monſieur *Mazarin*, but as a means alſo to bind Madam his Niece more firmly to the Husband, which he had choſen for her, and to oblige her to a greater dependance upon him, as well knowing the inconſtant humour of the Lady.

In one point he has given Monſieur *Mazarin* an advantage above her. For having ſetled the Reverſion of his Eſtate by a perpetual Entail, which equally took away from either of 'em, the Power of alienating it; He orders that in caſe

caſe Monſieur *de Mazarin* ſhou'd ſurvive her, he ſhou'd enjoy the whole, altho' he ſhou'd Marry again; but on the contrary, if ſhe ſurviv'd him, ſhe was to enjoy but to the value of § 600000 Livres.

§ 50000*l. Sterling.*

Monſieur the Cardinal was ſo ſatisfied with his Choice; and the Conduct of Monſieur the Duke after Marriage, ſo ſtrongly confirmed him in the great Eſteem he had for him, that he gave him freſh Marks of it in his Will. He made him joint Executor with his Dutcheſs of his whole Will, and therein repeated again the former Condition: *That in caſe Madam* Mazarin *died before her Husband, he ſhou'd remain in Poſſeſſion of the whole Eſtate; but ſhe being the Survivor, ſhou'd enjoy the Intereſt only of ſix hundred thouſand Livres, to which ſhe had by the Marriage Settlement been reduc'd, without being capable of receiving any manner of addition, or augmentation to this allowance by the general Legacies.*

Monſieur and Madam *Mazarin* liv'd together in perfect good underſtanding, and taſted all the Felicity of a happy Match for near ſeven years. They had ſeveral Children, the birth of which ought to have

have united 'em more ſtrictly, eſpecially ſince the extraordinary Gifts, and Graces of theſe Children were manifeſt Arguments of the peculiar Bleſſing of Heaven upon their Match.

But after ſeven happy years of Peace, the Poyſon of Diſcord crept in betwixt 'em upon this occaſion.

Monſieur *Mazarin* had the misfortune to fall under the diſpleaſure of Monſieur the Duke of *Nevers*, without having ever offended him. Whether this Averſion were the effect of any natural Antipathy, or whether it aroſe from the deſpight conceiv'd by Monſieur *de Nevers*, at ſeeing a Stranger ſhare with him the Spoils of his Uncle, and to ſee him even preferr'd to himſelf in his laſt Will, and choſen by Monſieur the Cardinal for the chief ſupport of his Name and Family.

Monſieur *Mazarin* has always look'd upon Monſieur the Duke of *Nevers*, as the main Inſtrument of the Separation of Madam *Mazarin* from him; he is perſwaded, that 'twas he, who urg'd by his hatred, and perhaps by ſome motive of Intereſt, and the hopes of being their Heir, which he was appointed to be, in caſe Monſieur and Madam *Mazarin* had died without Iſſue, had chang'd the

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Affections of his Wife, and infus'd that Contempt into her, which has ſince been ſo notoriouſly apparent. And Monſieur *Mazarin* has been farther confirm'd in this Opinion by the hand which Monſieur *de Nevers* had in the carrying off Madam *Mazarin*, by all the Meaſures he has taken ſince, and by his preſent Conduct.

The firſt and main aim of Madam *Mazarin* ſince ſhe gave her ſelf up to be ſeduc'd, has been always to withdraw from the Preſence, and dependance of her Husband. She cou'd have wiſh'd, that either by ſome Violence, or Menaces, he wou'd have given her a Pretext to ſue for a Divorce. But the mildneſs of Monſieur *Mazarin*, and the reſpect he always paid her, not only out of Affection to her Perſon, but alſo out of a regard which he will ever have to the Memory of his Benefactor, having taken away all colour for ſuch an Action, ſhe contented her ſelf to form in the Year 1666, a demand for a Diviſion of Effects.

Not that ſhe had any hopes of ſucceeding in her Suit: The regular Oeconomy of Monſieur *de Mazarin*, the Moderation he always obſerv'd in his Expences, and the vaſt Eſtate he was then poſſeſs'd of,

cover'd

cover'd him ſufficiently againſt ſuch Attempts. The ſole deſign of Madam *Mazarin* was to furniſh her ſelf with a Pretence to abandon her Husband's Houſe, while the Suit was depending.

This ſucceeding for a while, ſhe retir'd to the Nunnery of St. *Mary*; but the Religious being ſoon weary of her Conduct, in a few Months ſhe took a progreſs thro' three Convents more, which edified as little by her, as the former.

In ſhort, GENTLEMEN, her Relations being at a loſs where to lodge her any longer, propos'd an Accommodation; and caus'd both Parties to ſign a mutual Obligation, wherein 'twas agreed, that Madam *Mazarin* ſhou'd return to the Palace of *Mazarin*; but that during the Proceſs, ſhe ſhou'd be lodg'd in a ſeparate Apartment.

The firſt Exploit ſhe did, was to open a Paſſage thro' the Wall, between *Nevers* Houſe, and her Apartment, thro' which ſhe went and came at all hours of the Day, or Night, without paſſing thro' the Palace of *Mazarin*.

But this was not all; for thro' this Breach ſhe convey'd away all the Plate, and richeſt Furniture of her Apartment, which

which amounted to an immenſe Value.

At the Expiration of the Term of the mutual Obligation, when the Cauſe of Separation was ready to be heard, ſhe truly foreſaw that 'twas impoſſible it ſhou'd go for her. Monſieur *Mazarin* was too far off (what is call'd) *Vergere ad inopiam*, *falling into want*, which is the Caſe, in which the Law allows a Partition of Effects. Matters ſtanding thus, ſhe had recourſe to her laſt Stratagem.

'Tis with Grief that Monſieur *Mazarin* is oblig'd to revive this unhappy Story; but ſince the abſence of Madam *Mazarin*, which is the Subject of our Complaint, is the conſequence of her being carried away, it makes a neceſſary part of the matter before you, and may be of great weight in the Deciſion of it. Beſides, this Story is already ſo publick, that the recital which I ſhall make will contain nothing new, to the greateſt part of the Audience here preſent.

Madam *de Mazarin* in the Habit of a Man, attended by one only of her Women in the ſame Dreſs, came thro' the Communication aforeſaid, into *Nevers* Houſe, where Monſieur the Duke of *Nevers* her Brother, who waited her coming,

coming, took her into his Coach, and conducted her to a Stage before appointed by him, where he left her under the Guard and Conduct of ſome of his Domeſticks, and thoſe of another Perſon of the firſt Quality, who died ſome years ſince of the moſt Tragical Death in the World, whoſe Name the Council will, I hope, give me leave to paſs over in ſilence.

The Captains of her Convoy, and Principal Conductors, were a *Valet de Chambre*, and one of Monſieur *de Nevers*'s Gentlemen, one nam'd *Narciſſus*, and t'other *Parmillac*.

The Duke of *Nevers* had taken care to have freſh Horſes laid all along the Road, that ſhe might leave the Kingdom with more Expedition.

This Eſcape was made on the *13th.* or *14th.* of *June*, in the Night, in the Year 1667. All the next day, her Women pretended, that ſhe was indiſpos'd, and at reſt, and ſuffer'd no body to come into her Apartment, ſo that Monſieur *de Mazarin* was not inform'd of her flight till the Night following.

Never was Anguiſh comparable to that of Monſieur *Mazarin*; he procur'd the King's Orders to all the Governors,

to

to ſtop her paſſing the Frontiers, and caus'd her to be purſu'd with all the diligence imaginable. But ſhe having the ſtart by four and twenty hours, and travelling exceeding ſwift, render'd all the Care and Diligence of Monſieur her Husband, ineffectual.

Monſieur *de Mazarin* brought an Information for a Rape againſt all the Accomplices: And here I muſt intreat you, GENTLEMEN, to take notice, what Reſpect and Honour he ſhews for Madam *Mazarin*, in not ſuffering any Information to be brought, or any Decree to be given directly againſt her; he deſir'd no more in relation to her, than liberty to recover her, which was granted.

By theſe Informations it was fully prov'd, that Monſieur the Duke of *Nevers* was aſſiſtant in this Rape. I am ſorry, upon the account of the Reſpect I have, not only for his great Quality, but for his Perſonal Worth, that I am forc'd to rake into theſe matters; but they are of too great importance to my Cauſe, to be paſs'd over in ſilence.

Warrants were iſſued out againſt his Domeſticks, and Perſonal Proceſs decreed againſt himſelf, and the other Perſon of Quality: A Contempt was prepar'd,

par'd, and ready to be adjudg'd, when Monſieur *de Nevers* preſented himſelf to Examination. All theſe Proceedings are yet in the hands of the King's Council.

Monſieur *de Mazarin* perceiving, that theſe Proceſſes were not likely to regain Madam *de Mazarin*, which was all that he aim'd at, and upon which account only he began 'em; but that on the contrary, the continuance of 'em did but exaſperate the adverſe Party, and render 'em more indiſpos'd for a Reconciliation; let drop his Suit, and left the accus'd in quiet.

I ſhall not amuſe my ſelf about a Relation of the ſeveral Voyages that Madam *Mazarin* has made, the different Climates ſhe has viſited, nor the Adventures ſhe has met with; ſuch a recital wou'd neither be for her Honour, nor his Satisfaction. And ſo far is he from entertaining the Publick with any ſuch things, that he uſes his utmoſt Endeavour to conceal 'em from himſelf, and to raze 'em from his Memory; which the Preſence and ſincere re-union of Madam wou'd entirely effect.

'Tis ſufficient to inform you, that ſhe went firſt for *Italy*, from whence ſhe re-

turn'd privately to *France*, and lay ſome time conceal'd; that her next remove was into *Savoy*, and thence after ſome Months into the Dominions of the King of *Spain*; and that at laſt ſhe retir'd into *England*, where ſhe has made her longeſt abode.

For the two firſt years, Monſieur *Mazarin*, who ſtill hop'd for her Converſion, return'd conſiderable Summs to her, beſides what ſhe carried away with her.

But at length touch'd to the quick at her obſtinate refuſal to return, but more at the ill Reports, which ſhe had occaſion'd of her ſelf, which yet he was ſo wiſe, and ſo happy, as not to believe; and knowing the King of *England* gave her a yearly Penſion of 58000 Livers, in Conſideration of the Summ of 300000 Crowns, which he ow'd to Monſieur *Mazarin*, he put a ſtop to his returns.

The King of *England* dying, and his Brother the Duke of *York* aſcending the Throne, he had the Bounty to continue her Penſion to Madam *Mazarin*, upon the account of the honour ſhe had to be related to the Queen his Conſort.

While

While the King and Queen of *England* remained in peaceable Poſſeſſion of their Realms, and had their Court at *London*, and by their Preſence, their Zeal for the true Religion, and their Pious Declaration reſtor'd the free Exerciſe of that Religion, Monſieur, the Duke of *Mazarin* contented himſelf in ſecret to bewail the ſcorn, and hardneſs of his Wife's Heart.

He ſuſpended his Right, and moderated his Reſentments, out of Reſpect to the Protection which their Majeſties afforded Madam *Mazarin*, and out of that Veneration which he teſtified for their Sacred Perſons; to be near which, even Strangers born in the remoteſt Climates might be drawn and retained by a pure Admiration of their Heroick Vertues: And tho' he knew that her Preſence was in no wiſe neceſſarily conducing to the re-eſtabliſhment of Religion at *London*; that her way of living there was not likely to give the Catholicks much Reputation of Sanctity; that ſhe obſerv'd but ill the wiſe Advice the King and Queen honour'd her with; and that ſhe conſider'd leſs their Perſons, than the uncontroul'd Liberty and Pleaſure ſhe enjoy'd in their Country: Yet he was willing to

be cheated by a Pretence ſo ſpecious, and that bore ſo honourable an Appearance.

But the Revolution which fell out in *England* a year ago, has taken away that falſe pretence; and not only depriv'd her of all excuſe for any longer ſtay in *London*, but it has laid freſh Obligations upon her to return into *France*, beſides thoſe of her particular Circumſtances.

Matters are come to that paſs in *England*, that 'tis no longer lawful for a Catholick, a *French* Man, nor ſcarce for an honeſt Man to ſtay in *London*; much leſs for a Perſon loaded with the Favours of the King and Queen, and one that has the honour to be allied to 'em. The ſtay which ſhe has made there ſince that time, (and which 'tis evident ſhe deſigns to make there all the reſt of her Life, if you, GENTLEMEN, don't compell her to leave it,) has pluck'd off the Maſk, and diſcover'd the real Motives that drew her to, and keep her ſtill at *London*; and at the ſame time ſhews how little worthy ſhe was of the Protection the King and Queen honour'd her with.

If ſhe had any Affection for their Perſons, any Gratitude for their Bounties, or indeed but a bare Senſe of Honour or Religion, ſhe ought to have follow'd 'em. Cou'd ſhe ſee, without horrour, the Uſurper of their Kingdoms, and the Enemy of our Faith, eſtabliſh his Dominion upon the Wrack of their Legitimate Throne, and the ruine of the true Religion? And ſo far from ſeeking (as ſhe did) Grace in his Eyes, to obtain his leave to ſtay in a Place which ſhe ought to fly; or from labouring to be excepted from that general Law which baniſh'd all Catholicks, ought ſhe not to have prevented it by a voluntary departure?

Let her not pretend her Debts were any impediment; I ſhall ſhew in due Place, the fallacy of that Excuſe; as likewiſe of thoſe pretended Debts themſelves. Let her tell us nevertheleſs, who hinder'd her from going, when ſo many *Engliſh*-born Catholicks left their Country, and ſought Refuge in *France*; the greateſt part of whom muſt needs have Debts more conſiderable than hers?

With what Face can we be told that ſhe had not Liberty to go, when ſhe ſcaree had leave to ſtay? Have not we

here, and all the World, heard of it? And was ſhe not inform'd by the Votes, and Gazetts of *England*, of the Efforts of the Convention to drive her thence, and their Addreſſes to the Prince of *Orange*, that he wou'd order her to be gone?

Did they lay any condition upon her? Did they order her to be detain'd till ſhe had paid her Debts? No, they deſir'd of her only, the favour to be gone: Madam *Mazarin* was forc'd to call to her Aſſiſtance, the Power of the Prince of *Orange*, and procure Licence from Authority to ſtay.

What an Indignity is it for Madam *Mazarin* to prefer a Country that labours to be rid of her, before the Houſe of a Husband that longs for her: *England* in Flames, the Theatre of Rebellion and Hereſie, before *France* Peaceable, Flouriſhing, and Catholick: The Court of an Uſurper, before that of the greateſt, and juſteſt Prince in the World; and that for this ſhe ſhou'd implore an Authority, which ſhe ought to have in abhorrence; that ſhe ſhou'd ſeek ſupport from him, that came unjuſtly to dethrone her Benefactors?

With

With a becoming aſſurance we muſt needs be told after this, of the unſeparableneſs of Madam *Mazarin* from the Queen her Relation and Protectreſs, and that made the reaſon of her almoſt twenty years reſidence in *England.*

Monſieur *Mazarin*, after having given Madam his Dutcheſs time ſufficient, ſince the revolt of that People, to return into *France*, ſeeing her reſolute to continue in *London*, againſt all thoſe reaſons that require her return; and being mov'd at the Peril to which her ſtay in *England* expoſes both her Perſon and Religion, as ſhe her ſelf ſays in her defence, has at length reſolv'd to try by your Authority, to effect that, which the Inſtances of the Convention of *England* cou'd not.

He has preſented his Petition to the Council, to declare her depriv'd of her Settlement during her unjuſt Retreat, and her obſtinate Abſence from him, and from the Kingdom. But that you may ſee his deſign is not to gain her Eſtate, but her Perſon, he at the ſame time preſents another Petition for leave to ſeize her, wherever he can find her, and to convey her to his own Houſe. And, I know his Mind ſo well, that I venture to add, without fear of having it diſa-

vow'd by him, That altho' Madam *Mazarin* has ſufficiently incurr'd the Penalty of Privation of her Settlement by her Flight, and by her Contempt, Monſieur *Mazarin* wou'd be highly ſatisfied that ſhe ſhou'd avoid it by an immediate return to him, or within ſuch limited time as you ſhall preſcribe: But on this expreſs condition, That on her default of returning within the time by you appointed, ſhe ſhall by Virtue of your Sentence, without occaſion for any other, remain diveſted and depriv'd of her Dower, and Settlements.

This, GENTLEMEN, is our demand, of which I ſhall lay you down the means; after which it will not be difficult to overthrow thoſe incidentally form'd by Madam *Mazarin*.

The End of the Firſt Hearing.

THE

THE
Second Hearing
OF
Monſieur HERARD.

GENTLEMEN,

HAving laid the whole matter of Fact before you at the laſt Hearing, it remains that I now ſettle the means of my demand; and, ſince Maſter *Sachot* urges me to inſiſt upon the rigour of my Petition, and will allow no Moderation, I ſhall endeavour to ſatisfie him, and ſhew you juſt cauſe to declare Madam *Mazarin* depriv'd of Dower, and Alimony; and that her paſt Conduct does but too well juſtifie ſuch Deprivation.

In order to which, I hope to prove, that 'tis the uſual Correction given to Wives, that abandon their Husbands without lawful Cauſe, and break that indiſ-

indiſſoluble Society out of Levity: That this Puniſhment is adjudged by the *Roman* Law, which is conformable to the Intentions of the Laws of *France*, and Authoriz'd by the Practice of all the Courts.

There are two Caſes wherein the *Roman* Law deprives a Wife, that divorces her ſelf from her Husband, of Dower and Alimony.

The firſt is, when ſhe withdraws, and divorces her ſelf from her Husband without juſt cauſe.

The other is, when a Wife by her ill Conduct gives her Husband juſt cauſe to divorce himſelf from her. The Emperor in the 22*d*, and the 117*th Novels*, explains what thoſe juſt cauſes are; *Si Mulierem adulteram inveniat* (this, Heaven be prais'd, is none of our caſe) But he immediately ſubjoyns, *aut Viro neſciente, vel etiam prohibente, gaudentem conviviis aliorum virorum nihil ſibi competentium; vel etiam invito viro citra rationabilem cauſam foris pernoctantem, niſi forſan apud proprios parentes.* I am very well aware that this does not extend to Wives, who may accidentally eat with other Men, or lie a few Nights out of their own Houſes,

but

but to thoſe only that make a common Practice of it.

In either of theſe caſes the Law determines, That the Reſtitution of her Portion, and all Advantages that ſhe may claim by virtue of her Marriage, ſhall be denied to her: The reaſon why the Law in this caſe ſubmits her to the ſame Penalty with an Adultreſs is, becauſe if theſe diſorders be not a demonſtrative proof of her being debauch'd, they amount to a violent ſuſpition at leaſt; and for the ſatisfaction of a Husband, 'tis not enough that his Wife be free from the Guilt, unleſs ſhe behave her ſelf ſo as to keep clear of the Scandal.

Tali aliquo facto, dat lex hæc licentiam viro abjicere mulierem, ſi vel harum unam, vel ſolam probaverit cauſam, & lucrari quidem dotem, antenuptialem vero habere donationem.

Cujacius upon one of theſe Novels uſes theſe Expreſſions: *Pœnæ diſſidii ſunt; mulier, quæ abſque probabili cauſa diſcedit a marito, vel quæ diſcedendi cauſam marito præbet, dotem amittit, & lucra nuptialia.*

I ſuppoſe, GENTLEMEN, That 'twill not be alledg'd, that our Wives are not oblig'd to have the ſame reſpect for and dependance upon their Husbands, or ſo much

much regularity in their Conduct as the *Roman* Ladies. They have, I confeſs, in *France*, ſomewhat more of that honeſt Liberty, which offends not againſt Modeſty; we are not ſo ſevere as that People, in matters ſimply Innocent. But we diſpenſe no more than they with the eſſential Obligations of Marriage, nor connive at what may give juſt ground to ſuſpect 'em of a Crime, which is ſo ſollicitouſly conceal'd, and of which we can judge only by appearances. To grant that, were to wrong the purity of the Age we live in.

It was objected to me at *Parquet*, that theſe Penalties were eſtabliſh'd by the *Roman* Law, only in caſe of a legal Divorce, which the Law of thoſe times allow'd, which imply'd a total Diſſolution of the Marriage; and that ſuch Divorces being no longer allow'd, the Penalties inflicted on the Woman that gave occaſion for, or practis'd it, cou'd no longer be retain'd in uſe.

But on the contrary, I maintain, That if they puniſh'd Violations of the Rights of Matrimony in ſuch a manner, at a time when they were not ſufficiently acquainted with the dignity of it, when they ſcarce look'd upon it as more than a civil

civil Contract; they ought to be more ſeverely chaſtiſed now, when the dignity of the Sacrament is better known, and its Rights are become more ſacred. I maintain, that if a Wife ſhall abandon her Husband, or fall into thoſe diſorders mention'd in theſe Laws, ſince ſhe can no longer be puniſh'd by Repudiation, which was but one of the Penalties which by thoſe Laws ſhe incurr'd, ſhe ought at leaſt to ſuffer all the other which they annext to it.

Otherwiſe we muſt avow that the *Roman* Laws have too ſeverely provided to vindicate the Honour of Husbands, and Matrimony, or ours not enough. The former gave the injur'd Husband double Vengeance, and double Conſolation, the one in ridding him of a diſorderly Wife, the other in giving him her Portion; ſo that at the very ſame time ſhe injur'd him by a cauſeleſs deſertion, ſhe repair'd it by leaving him his Liberty, and her own Fortune.

Will they pretend, that we by raiſing the Value, have impair'd the Obligation of Matrimony, and the right of Husbands? Will they ſay, that becauſe a Wife is more ſtraitly, and inſeparably bound to her Husband, that therefore ſhe may

may with impunity abuſe him, fail of her Duty, and commit without fear all thoſe Enormities which theſe Laws puniſh'd with Repudiation, and loſs of Dower? Were not this to judge very hardly of our Policy, and cou'd there be any thing more dangerous than ſuch an Impunity?

GENTLEMEN, Let us apply theſe Maxims to the caſe before us; Madam *Mazarin* is a delinquent both thoſe ways, which demand a Privation of Dower.

Firſt, She has given, and ſtill continues to give Monſieur *Mazarin* ſuch cauſe of Complaint, as wou'd heretofore have empower'd a Husband to turn off the Wife, and keep the Portion. *Mulierem, viro prohibente, gaudentem conviviis aliorum virorum nihil ſibi competentium*, Is not this Madam *Mazarin*? *Virorum nihil ſibi competentium*, Thoſe Gameſters by Profeſſion, thoſe *Milords* who eat conſtantly, and paſs whole days, and part of their Nights with her. Is this fit Company for her? Is there any ſort of Men, with whom ſhe ought to hold leſs Correſpondence?

Vel etiam invito viro foris pernoctantem. Madam *Mazarin* has not only ſpent Days and Nights ſo, but Weeks, Months,

Months, and Years. Monſieur *Mazarin* therefore, according to theſe antient Laws, has a right to put away his Wife, and detain her Fortune. But ſince our Religion permits not the former, the Law is for that reaſon the more neceſſarily bound to relieve him otherwiſe, and to preſerve to him the other mean to compell his Wife to return to her Duty, or to puniſh her Diſobedience.

Secondly, Madam *Mazarin* is guilty of the other Fault, which theſe Laws puniſh likewiſe with loſs of Dower; ſhe has, as far as in her lay, cauſelefly divorc'd her ſelf from the Duke. She has not, I muſt confeſs, made a true divorce, taking the word in its ſtricteſt Signification, for a *nullity* of Marriage, becauſe the Law has put that out of her Power; but ſhe has made a divorce in Fact, much worſe than the other; becauſe being his Wife, ſhe lives as if ſhe were not ſo; and robs him of the Pleaſure of Conjugal Society, without eaſing him of the Bondage of Matrimony.

But if you pleaſe, GENTLEMEN, to reflect upon the Circumſtances of this Abſence, this Divorce, you will find that all Circumſtances concur to aggravate

vate it extreamly, and call for the utmoſt ſeverity of the Laws.

Firſt, How did Madam *Mazarin* make her Elopement from her Husbands Houſe? In the Night, diſguis'd in the Habit of a Man, thro' a Paſſage which ſhe had caus'd to be open'd into the adjoyning Houſe; after ſhe had convey'd away all her Plate, all her ſilver Stuffs, and the rich Furniture of her Apartment, ſhe at length cauſes her ſelf to be convey'd away. But by whom? 'Tis true, the Duke of *Nevers* her Brother, juſt lent her his hand, and parted from her; but he left her in the hands of one of the moſt gallant, handſomeſt young Lords in all the Court, who was no Relation, who furniſh'd her with Equipage, laid Horſes neceſſary for her Eſcape; and having born her company ſome days, left one of his Gentlemen, and part of his Retinue to convoy her out of the Kingdom.

Can it be deny'd, that all theſe Circumſtances of her Eſcape are extreamly Criminal in themſelves? May we not ſuſpect ſome greater Crime, and believe that ſhe has but ill preſerv'd that Treaſure, which by the danger ſhe wilfully threw it into, ſhe appears to value ſo little.

Wou'd

Wou'd not a Husband, that had the leaſt ſpark of Jealouſie, look upon ſuch an Elopement as demonſtrative proof? Wou'd not the Judges themſelves have been amaz'd, had this Suit been proſecuted? And ought not Madam *Mazarin* to be extreamly oblig'd to Monſieur *Mazarin* for the Juſtice which he does her, and the favourable Thoughts he has all along entertain'd of her Virtue, in ſpight of the imprudence of her Conduct.

Second Circumſtance; When Madam *Mazarin* left her Houſe, did ſhe retire to any Monaſtery, or any honourable Houſe in the Kingdom? No! She left *France* to ramble over the World, and carry her Shame and her Husband's all over *Europe.*

Third Circumſtance; How long has Madam *Mazarin* abſented her ſelf from her Husband's Houſe, and from the Kingdom? Is it one of thoſe ſhort Separations, which the Lawyers call *Friguſculum*, which ceaſes as ſoon as the firſt Emotions are appeas'd. 'Tis now full Two and Twenty Years, that ſhe has perſiſted in her revolt from the Authority of her Husband, in her alienation from her Duty, and in her indifference to her Country, and Chil-

dren. Is it not time that the Magiſtrates ſhou'd interpoſe their Authority to oblige her to that, which the Senſe of Nature, the love of her Country, and the conſideration of her Duty and Honour ought to have exacted from her long ago?

There is yet one Circumſtance more; Has Madam *Mazarin* ſince her Elopement, liv'd with that Modeſty, and Retirement, that Decency requires of a Woman that is forc'd to quit her Houſe, her Family, and Country, by domeſtick Diſcontents; which they wou'd make us believe to be her Caſe? I ſhall upon this occaſion take notice of nothing, but what is publick, and which I ſhou'd labour in vain to conceal. Madam *Mazarin* left *France* to ſet up a Baſſet Table in *London*, to make her Houſe a publick Ordinary for Gaming, and all the looſe Practices which Gaming draws after it, or rather ſerves as a colour for.

And ſhall the Magiſtrates behold this Scandal and Diſorder, without applying any Remedy? Shall not the Law be able to puniſh, and vindicate a Husband affronted to that degree? Nothing can be more injurious to the Honour of the Publick, than ſuch a Suppoſition: Nothing

thing more repugnant to the Nature of the Laws of *France*.

Divers of our Cuſtoms, as that of *Normandy*, Article 376, and that of *Brittany*, Article 430, declare expreſly, That if a Husband dies during the Elopement of his Wife, without Reconciliation, ſhe ſhall loſe her Jointure, and other Settlements, upon the bare complaint of her Husband's Heir, altho' no ſuit were commenc'd in his Life-time.

Judge then, GENTLEMEN, What in proportion the Woman ought to ſuffer, that runs away, as Madam *Mazarin* did; and abſents her ſelf from the Kingdom two and twenty years, and ſtill continues deaf to the Complaints of her Husband.

In the Canon Law, the Authority of which amongſt us in Matrimonial Caſes is well known, We have a poſitive Determination in this Caſe: 'Tis in the Chap. *Plerumque decretal. de donation. int. Vir. & Uxor. Si Mulier ob cauſam Fornicationis judicio Eccleſiæ.* This is the firſt caſe; *Aut propria voluntate a viro receſſerit.* See the ſecond, *Nec reconciliata poſtea ſit eidem, dotem, vel dotalitium repetere non valebit.* This Chapter ranks her that cauſeleſly deſerts her Husband;

with her that is convict of Adultery; it looks upon both theſe Injuries as equal, and puniſhes both alike with loſs of Dower, and Settlement.

In ſhort, 'tis plain, conſider it how we will, that ſuch a Deſertion ought to be puniſh'd in a Wife with ſuch a Deprivation.

For firſt 'tis not to be deny'd, that 'tis a manifeſt Oppoſition to the Engagements, which by her Marriage Contract ſhe enter'd into; and an abſolute Infraction of the Conditions of that Contract. Now 'tis a certain Maxim, that he that runs counter to the Conditions of a Contract, and fails to perform his part of the Obligation, loſes the Benefit of it, and can claim no right under it: By conſequence, the Reſtitution of Portion, the Right of Jointure, and Participation of Effects appertaining to a Wife only by vertue of her Marriage Contract, the Conditions of which ſhe has broken, ſh ought without diſpute to loſe all title to 'em.

If the Law be ſo ſevere upon Widdows, that marry before their year of Mourning be expir'd, only becauſe ſo precipitate a ſecond Match looks like a diſreſpect to the Memory of the dead Hus-

Husband; if they puniſh this Fault not only with loſs of Eſtate, but with Infamy likewiſe; What Correction can be too ſevere for a Wife, who ſhews ſo much contempt of her Husband while alive, and perſiſts in it ſo many years?

If the Son, who is wanting in his Reſpects to his Parents, or who abandons them, and refuſes to return at their deſire, renders himſelf unworthy to Inherit: If a freed Man, by the leaſt affront to his Patron, loſt his Liberty, and Eſtate; If a Vaſſal amongſt us, by injuring, or not acknowledging his Lord, forfeits his Fee: When a Wife, who is undoubtedly oblig'd by ſtricter Bonds to her Husband, than to her Father, or Mother; to pay more Reſpect than a freed Man to his Patron; and more Honour, and deference, than a Vaſſal to his Lord: When this Wife, I ſay, violates all her Obligations, when ſhe diſowns him, when ſhe ſhews an open Contempt of him, can a leſs Puniſhment than deprivation of Dower, and of all thoſe Rights that depend on Matrimony, ſuffice?

You ſee therefore, GENTLEMEN, by all theſe Reaſons, there is but too much cauſe to pronounce Sentence againſt Madam *Mazarin*.

All that was alledg'd at *Parquet*, in defence of her Deſertion, and long Abſence, was, that the *Novelle*, which deprives Women of their Dower for abſenting themſelves from the Houſes of their Husbands, has this Exceptian, *Niſi forſan apud proprios Parentes*; Madam *Mazarin*, ſay they, is hereby manifeſtly excepted, for ſhe retir'd to *London* near the Queen of *England*, to whom ſhe has the honour to be related: They pretend, that ſo Auguſt a Name, not only excuſes her Abſence, but juſtifies her Conduct, and protects her from all manner of ſuſpicion.

I ſhall not throw away my time, GENTLEMEN, in canvaſing the Signification of Words, *proprios Parentes*; tho' they have always been underſtood of Relations in the Aſcendant Line, and not the Collateral. I ſhall readily agree, that a Relation clad in the Regal Purple, how far ſoever remov'd in Blood, may well ſupply the place of a Father, and with preference be allow'd the ſame Priviledge: I ſhall grant likewiſe, that if it be in ſome ſenſe true, that Soveraigns have no Kindred, that the Glory which ſurrounds 'em, divides 'em from thoſe to whom Nature had joyn'd 'em,

and

and cancels the Obligations of Blood; that 'tis no leſs true, that they become to their whole People in general, what they ceaſe to be to particulars; their whole State becomes their Family, and they are the common Fathers, not only of their own People, but of all that they pleaſe to adopt; that is to ſay, to take into their Protection.

Nor ſhall I here inſiſt, that this Exception in the *Novelle*, is to be underſtood of a ſhort abſence only, of a Wife that ſpends a few days with her Relations, and that the Law did not extend this Favour to thoſe that remain'd from their Husbands ten, fifteen, or twenty years, tho' with a Father or Mother.

But my main anſwer is drawn from the manner of Madam *Mazarin's* living with the Queen of *England*.

Firſt, did the Queen invite her to *London*? Did ſhe deſire her Company? Did ſhe detain her with her? On the contrary, had Madam *Mazarin* follow'd her Advice, ſhe had never left her Husband; or at leaſt, ſhe had made a quick return.

Chance brought her to *London*, after having viſited an infinite number of other States; or rather ſhe was led thither

by a deſire to be parted from Monſieur *Mazarin* by the Sea, that ſhe might not inhabit ſo much as the ſame Continent with him. Her good Fortune threw her upon the Queen of *England*, who was willing to receive her, and charitably to render her hand to her, in hopes that her Preſence, her Advice, and the Deference that Madam *Mazarin* ought to have for her, might moderate the violence of her Reſentments.

But what uſe has ſhe made of this Grace? How has ſhe liv'd near that Great Queen? Was ſhe aſſiduous about her Perſon? Did ſhe imitate her Charity, and Piety? Did ſhe follow her Example in any thing? Nothing cou'd be more oppoſite.

The Queen devoted her ſelf wholly to the care of Salvation, and Eternity, and the Exerciſe of our Religion. Madam *Mazarin* gave her ſelf up to the Follies of the Age, and ſeem'd to have no aim but to ruine her ſelf and others.

The Queen made it her buſineſs to gather the Elect into her Palace, and turn it into a Houſe of Prayer, and Edification.

Madam

Madam *Mazarin* made her Houſe a publick Rendezvous for Gaming, Pleaſure, and Gallantry; a new *Babylon*, where People of all Nations, Sects, and Tongues march'd confuſedly together under the Standard of Luxury, and Fortune.

The Queen labour'd to relieve the Neceſſitous, and knock off the Fetters of Priſoners: Madam *Mazarin* to plunder the Rich, and make 'em her Captives.

The Queen deſcended from her Throne to humble her ſelf at the Feet of God's Altars, and to pay him that Worſhip, and Adoration, which are his due: Madam *Mazarin* idoliz'd her ſelf, ſought Adorers, and exacted a prophane, criminal Worſhip from 'em.

Do you call this being with the Queen of *England?* You were farther off her, than Heaven from Earth; and your Conduct divided you more, than your abode in *London* brought you together; and this very Honour of ſeeing her, and enjoying her Protection, aggravates your Guilt. How can you excuſe the having ſuch great Examples before your Eyes, without attempting to follow 'em; at leaſt imperfectly, and at a diſtance; for few can come near 'em; the having

liv'd

liv'd in her capital City, only to raiſe an Altar to *Belial*, on the very ſpot where that Princeſs rais'd one to the true God; the having plac'd the Idol of *Dagon* ſo near the *Ark*; the having applyed your ſelf, as much as in you lay, to combat by your Life thoſe Holy Maxims, which ſhe eſtabliſh'd by hers?

Had you liv'd with that Sage Queen, as you ought to have done, you wou'd not have been ſo averſe to return to Monſieur *Mazarin*: His way of living is not by abundance ſo different from the Queens, as yours. You wou'd at leaſt have learn'd not to make a Monſter of the Piety of your Husband; you wou'd have learnt to come over to his Opinions; and beſides the Authority of a Husband, to have rever'd in him, the Character of an Elect, which you make the Subject of your Mockery, and the reaſon of your Separation.

But which way can the Names of the King, and Queen of *England*, be made uſe of to excuſe the Eſcape, and Abſence of Madam *Mazarin*, after what I have had the Honour to obſerve to the Council at the laſt Hearing? While ſhe lives in the ſame Tranquility at

London

London ſince their departure, that ſhe did in their peaceful Reign; while ſhe pays the ſame Incenſe to the Prince of *Orange*, that ſhe offer'd to them, with as much baſeneſs and unworthineſs, as it was Honour to her, to pay that Reſpect which ſhe ow'd to them.

What Excuſe has ſhe now? Is the Prince of *Orange* her Kinſman? Are all theſe Gameſters, Libertines, Presbyterians, Epiſcopians, Quakers? In a word, are all this Rabble of all Religions, except the true one, which reſort to her Houſe, her Relations? Let her ſhew theſe unknown Alliances. But there are none; 'tis only to have her Swinge uncontroul'd, that ſhe ſtays there.

GENTLEMEN, by this time, I preſume, you are convinc'd, that there never was any caſe, that with more reaſon requir'd the rigour of the Law: Never any Woman that more amply deſerv'd to be declar'd incapable of Dower, or Settlement, than Madam *Mazarin*.

But if your Indulgence ſtill holds your Arm, what greater Favour can you afford her, than to ſuſpend the blow ſome Months, and give her time to repent, and return to her Duty.

But

But if, inſtead of making a right uſe of this Grace, ſhe continues obſtinate, and to the ſlight of the Conjugal Authority, adds a Contempt of yours; what Puniſhment can be too ſevere?

It is therefore but juſt, if you will allow her any time to return to Monſieur *Mazarin*, that you at the ſame time declare the Penalty ſhe incurrs, in caſe of Diſobedience; and pronounce her *ipſo facto* depriv'd of Dower, and Settlement, by virtue of this Judgment, without occaſion for any other.

You muſt needs be ſenſible, GENTLEMEN, that this is the only way to procure Obedience to your Decrees; and that without it, whatever Commands you lay upon her to return, ſhe, being out of the King's Dominions, beyond which you can exert no Authority, will but laugh at your Orders: Since therefore your Power does not extend to her Perſon, you muſt neceſſarily exerciſe it upon her Eſtate, if you will compell her to regard your Sentences.

This courſe was taken by the Parliament upon an occaſion, wherein 'twas much leſs neceſſary, and againſt a Woman that leſs deſerv'd it than Madam *Mazarin*. 'Twas in the caſe of the Count

of

of *Clermont* againſt the Counteſs his Wife. She had not been ſo long withdrawn from her Husband, as Madam *Mazarin* from hers: She went from him in a manner no way ſcandalous, without being carried off: She was in *Paris*, not *England*, and her Conduct was much more prudent than Madam *Mazarin*'s: She had likewiſe a plauſible reaſon not to return to her Husband, becauſe She had a Suit actually depending for the Separation of Effects.

Yet becauſe She appear'd to protract the Suit, the Count of *Clermont* demanded, that She ſhou'd be oblig'd to return to his Houſe during the Proceſs, or otherwiſe remain depriv'd of her Settlement, which was accordingly order'd.

The like Judgment was alſo obtain'd by *Torinon*, the Notary, againſt his Wife, altho' there was an actual Separation of Effects, and the Separation adjudg'd, and executed.

You ſee therefore, that Judgment againſt Madam *Mazarin* can by no means be diſpenc'd with, in caſe She obſtinately refuſes to return to Monſieur *Mazarin*.

I believe, GENTLEMEN, that my Demand is ſufficiently fortified; I ſhall

now

now proceed to obviate the incident demands of Madam *Mazarin*.

She dares not openly declare, that She will not return to *France*; She knows, that She can't with Honour avow any ſuch thing, much leſs maintain it with ſucceſs: She declares therefore, that She is ready and deſirous to do it, but She at the ſame time endeavours to elude her offer, by the Conditions which She tacks to it.

She alledges firſt, that She is detain'd in *England* by her Debts, which She has been forc'd to contract, and which amount to * 100000 Livers; that if Monſieur *Mazarin* wou'd have her, he muſt pay that Summ. She demands likewiſe, that he be condemn'd to it, that She may quit a Country, where, as She ſays, for theſe are her Words, She can't ſtay without endangering both Life, and Salvation. She ſays nothing of her Honour, or Reputation; thoſe She thinks ſafe in all Countries.

* 8333*l.*--6*s.*--8*d.* *Sterling.*

You ſee, GENTLEMEN, that She ſets Monſieur *Mazarin* a price upon the honour of ſeeing her, and that She rates it pretty high: 'Tis plain, that her Intention

tention is only to baffle his deſign, well knowing, that in the preſent poſture of his Affairs, he can't raiſe ſo great a Summ of ready Money, and that 'twill not be eaſie to borrow it for that uſe.

In ſhort, GENTLEMEN, I ſhall ſhew you, that theſe Debts are but a ſham Pretence, and that She has nothing to detain her in *England*, but her own perverſe Will. To do this, I deſire you to make ſome Reflection thereon.

The firſt reſpects the time, when Madam *Mazarin* bethinks her ſelf of ſaying, that ſhe is willing to return into *France*, upon condition that Monſieur *Mazarin* may be oblig'd to diſcharge, and pay her Debts. This She did not think on till the Tenth of the laſt Month, in her Anſwer to Monſieur *Mazarin*'s Petition. Till then ſhe was not aware of the deſign ſhe had to return into *France*, or of her being detain'd in *England* for her Debts; She liv'd undiſturb'd at *London*, not only after the departure of the King and Queen, but even after the Petition of Monſieur *Mazarin*, which bears date the 13th of *April* laſt. Seven Months were requiſite after this Petition, to make her feel her own Wants, and the Impatience She lay under to quit a Country, where

where (according to her own words) her Salvation and Life were in ſuch Danger. 'Twas neceſſary, that her Councel at *Paris*, who drew her Anſwer, ſhou'd inform her how things went at *London*, before her Eyes, in her own Concerns, and even in her own Breaſt. Had not this been, and had She not been preſt to put in an Anſwer to the Petition of Monſieur *Mazarin*, which was ready to go by default, She had not only not perceiv'd that She was in Debt, and that her Life was in danger, but She had continued agreeably, and commodiouſly there, and *France* had been forgotten for ever.

I doubt not, GENTLEMEN, but this Remark has already ſatisfied you, that neither the Condition, nor the Intentions of Madam *Mazarin* are ſuch, as She wou'd perſwade us they are.

The ſecond Reflection, which is yet more convincing than the former, is, That ever ſince the departure of the King and Queen, it has lain wholly in the Breaſt of Madam *Mazarin*, whether She wou'd return, or not; and is ſtill in her choice.

Upon reading her Defence, wou'd not one conclude, that She were a cloſe Priſoner

ſoner in *London*, or that ſhe had a Guard upon her Houſe at leaſt? Yet there is nothing like it: We don't hear, that they have made ſo much as a ſeizure of her Goods; which if they had, She might, by letting them go, purchaſe her own Liberty; and Monſieur *Mazarin* never expected that She wou'd bring back, what She carry'd away from *Mazarin* Houſe.

They have indeed produc'd an *Engliſh* Certificate, ſign'd, as they ſay, by a Serjeant at Law, and a Barriſter of the City of *London*. But it certifies only, *That, by the Law of that Country, the Creditors of any Stranger might ſtop his Effects, and Body, and proceed ſo againſt him, that he ſhou'd not have the liberty of ſtirring out of the Kingdom, till he had paid his Debts, or given Security.* Theſe are the Terms of the Certificate. What may we infer from hence? Why, that the Creditors of Madam *Mazarin* have perhaps a power to ſtop her, if they pleaſe; but ſo long as they don't exert it, as aſſuredly they have not yet done, nothing hinders her leaving *England*.

I have already, GENTLEMEN, obſerv'd to you in the former Audience, that they were ſo far from ſtopping her,

that the Convention, or Aſſembly of Eſtates did their utmoſt to expell her; and that She had not been ſuffer'd to continue there, but thro' the Interpoſition of the Prince of *Orange*.

What is it then that detains her? Is it a tenderneſs of Conſcience that will not ſuffer her to leave her Creditors in danger of loſing their Debts, or the fear of being tax'd with the breach of her word, if ſhe ſhou'd go without paying? But were it not a juſt excuſe, to plead that She went away to put an end at once to the Complaints of the Convention, and Monſieur *Mazarin*?

Had not this Niceneſs, and theſe Scruples been much more ſeaſonable when She took up her Reſolution of running away from the Palace of *Mazarin*? Who cou'd imagine, that Madam *Mazarin* ſhou'd make a difficulty of leaving *England*, becauſe She owes a little Money to the *Engliſh*, that made none of ſtealing her Self from her Husband, and the Kingdom, to which She ow'd all, to go into *England*? Does She think theſe pretended Debts more ſacred than the Obligations of Wedlock, which She has ſo highly outrag'd, and which inceſſantly recall her?

But

But let us enquire a little into theſe pretended Debts: you ſhall ſee, GENTLEMEN, not only that She cou'd not have any Legal ones, but that in reality She has not contracted any.

'Twere no hard matter to prove, that ſuppoſing Madam *Mazarin* had contracted Debts, that they are *Null*, and can neither oblige her, nor Monſieur *Mazarin*. In the proof of this it may be ſufficient to obſerve, that She is a Woman under *Covert Baron*, and by conſequence incapable of obliging her ſelf without the conſent of her Husband.

Madam *Mazarin* her ſelf has ſo far acknowledged her own Incapacity, not only of contracting, but even of ſueing without the Authority of her Husband, or a Court of Juſtice, that, as you know GENTLEMEN, She has formerly preſented her Petition to the Council for leave in this very caſe, to draw up againſt him ſuch incident Demands, as She ſhou'd think neceſſary for her Defence: And the Council has expreſly authoriz'd her for that purpoſe, judging, that without that She was not in capacity to engage her ſelf in theſe pretended Debts.

It is not enough to ſay, that this were a good Argument againſt Debts contracted in *France*, but that our Laws, which diſable a Wife for entering into Obligations, are of no force in the Kingdom of *England*.

For firſt, the Council knows, that to judge of any Perſon's Capacity of contracting, the Laws of the Place of his Habitation only are conſulted; and by thoſe Laws the State of his Perſon is regulated; and whereſoever he goes, he carries along with him thoſe Perſonal Qualities, that Character of Capacity, or Incapacity, which they impreſs upon him. By conſequence, Madam *Mazarin* being Married under the Laws of this Kingdom, and having her Manſion always here, notwithſtanding her Ramble, She bears her Subjection to the Authority of her Husband about her every where; and before whatſoever Judges theſe Obligations may be brought, they can't but declare 'em *Null*, purſuant to the tenour of our Laws.

The *Engliſh*, or other Strangers, who may have contracted with her, ought to have inform'd themſelves of her Condition: They ought to have known, that a Woman Married in *France*, who has a Hus-

Husband actually living, has not by runing away, ſhaken off her dependance, or acquir'd any right of diſpoſing of her Effects; and therefore they ought to thank themſelves for thoſe Loans. And I am perſwaded, that the *Judges* of *England* wou'd in this caſe do her the ſame Juſtice, that the Council, and other Soveraign Tribunals of this Kingdom do every day to Strangers, whoſe Differences are brought before 'em.

I queſtion not likewiſe, but theſe Obligations are void by the particular Laws of *England*; which, as we all know, are deriv'd from thoſe of the *Normans*, who have always us'd their Wives to a greater Subjection to their Husbands, and laid 'em under a more abſolute Prohibition from entring into Obligations, than the reſt of our Country: But this is a ſuperfluous enquiry, ſince 'tis indubitable that Madam *Mazarin* is ſubject to the Laws of *France*, and that her Subjection and Incapacity of contracting is inſeparable from her wherever She is.

It is not enough, GENTLEMEN, to prove to you the *Nullity* of theſe pretended Debts, I ſhall farther prove to you, that they are ſuppoſititious.

Firſt, What probability is there, that Madam *Mazarin* ſhou'd have occaſion to borrow? She carried off with her above 100000 Crowns in Jewels, Plate, Silver Stuff, and rich Moveables, which be ſure She wou'd firſt turn into Money, before ſhe came to borrowing.

Beſides this, as I have already told you, Monſieur *Mazarin* remitted to her divers Summs in the firſt Years of her Abſence; and as ſoon as She ſet foot in *England*, the deceas'd King allow'd her a Penſion of 58000 Livers a Year, in conſideration of the Summ of 900000 Livers which he ow'd to Monſieur *Mazarin*; and this Penſion was continued to her by the preſent King of *England*.

Will Madam *Mazarin*, who never kept either Horſes or Equipage in *London*, ſay, that She is not able to ſubſiſt on this Penſion? Without reckoning the Advantage (not ſo honourable as real) which She makes of thoſe that play daily with her, and which amounts higher than one wou'd imagine. Can it be poſſible, that with ſo conſiderable an Income, She ſhou'd be reduc'd to a neceſſity of borrowing? Wou'd not this argue her of an inexcuſable Profuſeneſs,

of

of which we are not willing to ſuſpect her?

But if it ben't probable, that She ſhou'd have any occaſion to borrow, it is much leſs ſo, that She ſhou'd find any Lenders of ſo conſiderable a Summ, unleſs they were willing to loſe it, and make her a Preſent under colour of a Loan. Cou'd any one be ſo imprudent, as to truſt his Money with a Fugitive Stranger under *Covert Baron*, that cou'd diſpoſe of nothing? Which of us wou'd lend his Money to a Stranger in her Circumſtances? Theſe Debts therefore are a meer Sham.

Madam *Mazarin* has not made it apparent, that She is proſecuted by any of her Creditors, as I have already obſerv'd; She does not produce Copies of thoſe Obligations, which She pretends to have enter'd into; nor has She ſo much as brought in the State of theſe Debts, or given a Liſt of the Names of the Creditors; Wou'd She have omitted theſe Proofs, if the Debts had been real? And without 'em can She expect, that upon her bare word, that She owes a hundred thouſand Livers, without knowing the occaſions of her contracting theſe pretended Debts, or the Names of her

Creditors, we ſhou'd condemn Monſieur *Mazarin* to pay her 100000 Livers, perhaps to laviſh upon her Creatures, and pay 'em for Services, which Monſieur *Mazarin* has no reaſon to reward? But you, GENTEMEN, are too clear ſighted, too wiſe to ſuffer your ſelves to be taken in ſo palpable a Trap.

Let us proceed to t'other incident Demand of Madam *Mazarin*, She demands, that upon her return into *Erance*, She be permitted to retire into a Convent, and that the Council award Monſieur *Mazarin* to pay her * 24000 Livers a year.

* 2000 *l. Sterling.*

I ſhall not advance any thing that's new to you, GENTLEMEN, when I ſay that 'tis a conſtant Rule in Law, that a Wife can't be allow'd the liberty of leaving her Husband, and fixing her abode apart from her Husband, unleſs he give her occaſion for it by his harſh Treatment of her. Thus *Anthony Mornac* obſerves upon *l.* 5. *Cod. de repud, redire ſemper cogi poteſt, niſi doceat de ſeviitiis mariti.* How long ſoever She may have been abſent from him, She may ſtill be compell'd to return, becauſe no Preſcription

ſcription will hold againſt the Rights of Marriage.

This has been a Rule in all Ages, amongſt all People, and all Religions; even the *Pagans* themſelves, who were ignorant of the Sanctity of Matrimony, obſerv'd it by the meer light of natural Reaſon: How much more inviolable then ought it to be amongſt Chriſtians, who look upon it as a Type of the inſeparable Union of CHRIST, and his *Church.*

Madam *Mazarin* ought to ſet forth the evil Treatment She has receiv'd from Monſieur *Mazarin*, which may authorize ſuch a Separation of Habitation, as She deſires, and make her Husband her Tributary. This is what Maſter *Sachot* ought to do; after which, I hope the Council will grant me one hour to defend Monſieur *Mazarin* from thoſe Accuſations which I can't at preſent foreſee.

In the mean time I beſeech the Council, by way of advance, to make ſome Reflections upon this Matter.

The firſt is, that Madam *Mazarin* does ſo far acknowledge, that She has not ſufficient occaſion to demand a ſeparate Habitation; that She dares not bring her

Action

Action for it; but endeavours to obtain that indirectly, which She can't directly pretend to: She deſires, that without a Sentence of Separation, which She dares not offer at, you wou'd ſeparate 'em in effect, by alloting her a Habitation apart from her Husband.

My ſecond Obſervation is, that She cou'd not have from him any ill Treatment, or lawful cauſe of Separation: Of this I have an undeniable proof from the Fact of the adverſe Party her ſelf. At the time when She left her Husband's Houſe, and the Kingdom, She had a Suit actually depending againſt him for a Separation. But what ſort of Separation did She deſire? A ſimple Separation of Effects. Wou'd this Lady, that try'd all Methods poſſible or impoſſible to withdraw her ſelf from the Government and ſight of her Husband, have fail'd to have brought an Action for Separation of Habitation, which was her moſt natural way, if She had thought She had the leaſt Pretence to ſupport it? Wou'd She have taken this ſtrange Reſolution of running away in a ſcandalous, criminal manner, which wou'd not only ſtick an eternal blemiſh on her Reputation, but had expos'd her to the ſevereſt

Puniſh-

Puniſhments, if She had been overtaken, and Monſieur *Mazarin* wou'd have left her to the rigour of the Law.

'Tis therefore certain, nor can a more convincing proof be given, that Madam *Mazarin* at the time of her flight had met with no ill Treatment from Monſieur *Mazarin*. And this, GENTLEMEN, is a Demonſtration of the extraordinary Temper of Monſieur *Mazarin*; for he muſt have a vaſt ſtock of Patience to bear ſo long, without being provok'd, all the occaſions of complaint, that Madam *Mazarin* gave him during the two laſt years that they liv'd together. Nay, I may ſay, that he has given us an aſſurance, that he never will be provok'd againſt her, let her do what She liſts; for 'tis impoſſible She ſhou'd give him greater reaſon to be ſo, then She did in thoſe two laſt years.

Accordingly, at the meeting of *Parquet*, nothing was objected againſt Monſieur *Mazarin*, that was worthy the leaſt notice; they did not accuſe him of any ill uſage: The only thing that Madam *Mazarin*'s Party reproach'd him with, at which all their Complaints, or rather their Railleries were level'd, was his Devotion.

But

But was it ever heard, that Devotion was a reaſon for Separation? It has been pretended, that a Man turning *Jew*, *Pagan*, or *Heretick*, his Wife might ſeparate her ſelf from him, and even procure a diſſolution of the Marriage. But may She forſake him for being devout? Muſt he abjure his Devotion to recover his Wife? This is Doctrine that they will not dare openly to maintain.

Yet 'tis all that Madam *Mazarin* has to object againſt her Husband, She can't deny, but that he has always carried himſelf with all poſſible reſpect towards her; that he has always furniſh'd her with all that's neceſſary, not only for the convenience of Life, but for her Pleaſure, and the ſupport of her Quality with Splendor.

She can't deny, that he has all thoſe Qualities, which make a Man of Honor, and true Merit; Courage, and Valour, of which he gave ſufficient Proof, when he was great Maſter of the Artillery, and Lieutenant General; Conſtancy, Acuteneſs, Delicacy of Wit, Greatneſs of Mind, which makes him deſpiſe Wealth, or not deſire it, but to diſtribute it well; great Liberality to the Poor, and as great Moderation in rela-

tion

tion to himſelf: His Abſence gives me opportunity to ſay that, which his Modeſty wou'd not ſuffer, were he preſent.

Madam *Mazarin* acknowledg'd all theſe great Qualities in him for the firſt five or ſix years of their Marriage, and paid that Juſtice to 'em, that was due.

'Tis his Fault I confeſs, to be religious, and ſolicitous for the Health of his Soul; a Fault, which wou'd not appear ſuch to any Wife, that were not her ſelf ſomewhat irreligious. I will own too, if you pleaſe, that there may be both in *France*, and in *England*, gayer, galanter, ſprightlier Men, which have an Air of tenderneſs beyond Monſieur *Mazarin*, and more agreeable to the Inclinations of Madam *Mazarin*; but will that juſtifie the ſlighting and leaving ſuch a Husband as he?

A Wife, that meets with no ill uſage from her Husband, ſhou'd not believe, that there is in the World a genteeler, more agreeable, better humour'd Man, than he: And tho' She cou'd not perſwade her ſelf of that, yet She ought to conſider, that Providence having join'd her to him, She is no longer at liberty

to

to chooſe, nor examine whether another might pleaſe her better.

She ought to think of thoſe Texts of Scripture, which bind Women inſeparably to the Perſons of their Husbands; which enjoins 'em to ſerve, and obey him; which ſay that they two ought to make but one Fleſh. Have we any other Law, any other Goſpel, which allows Wives to ſhake off all Duty upon ſuch frivolous Pretences?

How will this agree with that other Precept given to all Chriſtians, eſpecially Husbands and Wives, becauſe a ſtricter Union is requir'd betwixt 'em, which enjoyns 'em to bear with one another's Faults? Is the Devotion of a Husband a Fault ſo inſupportable, that it deſerves a peculiar Exception?

On the other ſide, has Monſieur *Mazarin* nothing to remit to Madam *Mazarin*? Does She think her ſelf without Faults? We ſhall not indeed accuſe her of that; But has She none, that are oppoſite to it, and more grievous to a Husband, than that can be to a Wife? If we put the Faults of one, and t'other, into the Ballance, do you think, GENTLEMEN, that Madam *Mazarin* wou'd have ſo much the advantage, and that hers

hers wou'd not ſurpaſs his, both in number and weight? Nevertheleſs, Monſieur *Mazarin* is willing to excuſe, to forgive, and to forget all: He is ready to receive her, and to treat her honourably, as he has always done: Will not Madam *Mazarin* pardon him this one Crime, Devotion; which moſt reaſonable Women wiſh for in their Husbands?

There is one Reflection on this occaſion yet behind; Madam *Mazarin* refuſes to return to her Husband, only becauſe his Houſe is too ſeverely regulated for her, becauſe he will have no Plays in his Houſe, for he does not forbid her ſeeing 'em elſewhere; in a word, She is afraid of want of Diverſion, and the liberty of inviting the Gameſters thither, and receiving as much Company as She deſires. Theſe are the only reaſons that induce Madam *Mazarin* to deſire permiſſion to retire into a Convent.

But does She think, that theſe things will be more tolerated in a Convent, than in his Houſe? Are not theſe pretty Diſpoſitions to carry into a Religious Houſe? What can you expect, but an entire Diſſolution of Diſcipline in that Monaſtery, to which you make ſo dangerous a Preſent?

What

What I ſay, GENTLEMEN, is confirm'd by Experiments divers times repeated. Madam *Mazarin* had already, before She left the Kingdom, honour'd ſeveral Convents with her Preſence. The Abbies of *Lys Chelles*, and of the Nuns of St. *Mary*, and ſome others, will never forget the honour of thoſe Frolicks Madam *Mazarin* has had there; the Memory of which will be kept up by Tradition in thoſe Houſes for many Ages.

The Queſtion then is, Whether Madam *Mazarin* ſhall go into a Convent, which She will undoubtedly ſpoil; or return to Monſieur *Mazarin*, who will endeavour, if poſſible, to mend her. I doubt not, but you are eaſily determin'd in the choice of theſe two Expedients.

I am fully perſwaded, that if theſe two Princes, as great by their Merit, as Birth, who have hitherto afforded her the honour of their Protection, had been rightly inform'd of the State of the Conteſt, they wou'd have been very cautious of eſpouſing her Quarrel.

They had been told without doubt, of what has been reported in the World, that Monſieur *Mazarin* had a mind to poſſeſs himſelf of his Wife's Eſtate, and

to

to that end aſpers'd her Conduct: But being inform'd by the Pleadings which they have honour'd with their Preſence, that the ſole aim of Monſieur *Mazarin* is to reunite his Wife to him; We are aſſur'd, that they will be ſo far from countenancing her revolt, that they will give her Advice becoming them, and their Wiſdom.

What Intereſt can they have to encourage this Vagabond Life in a Perſon, that has the honour to be their Relation? Or what motive of Juſtice can induce 'em to rob Monſieur *Mazarin* of a Wife, which themſelves, and all their Family, have ſolemnly given to him at the Altar?

What probability is there, that they ſhou'd conſent to have their Great Names, and Authority made uſe of to divide thoſe whom the Church has joyn'd, and to deſtroy the handy work of God? We will not fear any ſuch thing from the Blood of *Charlemain*, and *Lewis the Great*; from the Blood which has always defended the right of Altars, and the Diſcipline of the Church.

Thus, GENTLEMEN, all things invite you to reſtore Madam *Mazarin* to her Husband; the Law enjoyns it, the Honour of the Publick requires it, Mon-

ſieur *Mazarin* earneſtly deſires it. Madam *Mazarin* alone oppoſes it, but She oppoſes it not only without reaſon, or lawful Occaſion, as I have already ſhewn, but even againſt her own proper Intereſt.

Does She think it nothing by this reunion to put a ſtop to all thoſe foul Reports, which ſince her Elopement, Malice has aſſum'd a ſort of right to ſpread concerning her Conduct? Is not She afraid of confirming 'em by her obſtinate refuſal to return to her Husband, from whom She has never met with any ill Uſage? Is not She apprehenſive, that the care She takes to fly from him, and hide her ſelf from his Sight, ſhou'd be imputed to the Reproaches of her own Conſcience, and the Shame of her Miſdemeanour towards him, rather than the Imperfection of her Husband?

But let us leave this Worldly Glory, which Madam *Mazarin* perhaps deſpiſes: She teſtifies at leaſt ſome ſerious concern for her Soul in her Anſwer, ſince to avoid the danger that in *England* 'tis in, She demands 100000 Livers to enable her to come away. This is a laudable Diſpoſition, but we muſt not leave this great Work imperfect; which it wou'd be,

be, if returning into *France*, Madam *Mazarin* lives ſeparate from her Husband, contrary to the Law of God.

Madam *Mazarin* her ſelf will not be long e're She acknowledges the Grace, that you will do her. When She feels that happy Calm, which is not to be found out of that State, wherein Providence has been pleas'd to place us, She will bleſs the Storm that drove her into the Harbour; She will thank you for the obliging violence you do her, to draw her out of her Labyrinths.

I deſpair not but in time She will re-recover that Eſteem, and Tenderneſs for Monſieur *Mazarin*, which She had in the firſt years of their Marriage: They were too vigorous to be quite extinguiſh'd; and the reflection She will make on his Goodneſs in making the firſt Advances towards their Re-union, in generouſly tendring her his hand, and forgetting all paſt occaſions of Complaint and Reſentment, which She has given him, will redouble her Reſpect, and Affection for him.

They will find in themſelves more Sympathy, than even in their firſt years: If the Zeal of the Duke in the fervour of its firſt Sallies had ſomething too

rough, and auſtere, as it uſually happens; The Dutcheſs will find it mellow'd by time and habitude. And I doubt not, but that on her part, Maturity of years, the Fatigues She has undergone, and the Reflections She has made, have qualified the immoderate Paſſion for Pleaſure, which She then had.

But tho' Time ſhou'd have made no alteration in her Humour, yet I am perſwaded, that Monſieur *Mazarin*, having been ſo ſeverely puniſh'd by a Separation of twenty years, for offering to take the Liberty to correct her, will not attempt it any more, without the niceſt Precaution; and that he will pay ſuch an extraordinary Complaiſance, as will gain extreamly upon the Heart of Madam *Mazarin*, when She conſiders how little She has done to merit it.

CONCLUSION.

I conclude, that the Council wou'd be pleas'd to order, that during the unjuſt retreat of Madam *Mazarin*, She be diveſted, and depriv'd of Dower, and Alimony. That it be at the Diſcretion of the Council to appoint a limited time for her return to *France*, and to the Houſe of Monſieur *Mazarin*; after which, upon her default, She ſhall incurr this Penalty by Vertue of your Decree, without recourſe to any other; and that Monſieur, the Duke of *Mazarin*, be permitted to reſume her, wherever he can find her, and to cauſe her to be convey'd to his Houſe; and this without regard to the incident Demands of Madam *Mazarin*, which ſhall be rejected.

A *REPLY* TO THE PLEADING OF *Monſieur Sachot*, In the ſame CAUSE.

GENTLEMEN,

IF Marriage were ſuch a Society, as either Party might diſſolve, by a ſimple Renunciation: If a Husband held his Title only by Commiſſion, which might be taken away at his Wife's Pleaſure: Or, if we liv'd in thoſe happy times, which have been with ſuch pleaſure di-

lated

lated on, and ſeem to be ſo much regretted, when Women counted their years by the number of their Husbands; and when a ſimple change of Mind was a ſufficient reaſon for a Divorce; there might be ſomething in what has been urg'd to you, whereon to ground this Separation, which Madam *Mazarin* wou'd indirectly obtain.

More Zeal cou'd not have been ſhewn, than her Council have made appear in their Plea for a Separation; but the means whereon to ground it according to our Cuſtoms, amongſt Chriſtians that look upon the Rights of Marriage as Sacred, and this Society as indiſſoluble; that ill uſage which a Husband muſt ſhew to his Wife, to lay a Foundation for a Separation, is what I have not heard the leaſt offer to prove, thro' the whole Plea of the adverſe Party.

I ſhall venture to ſay farther, that their way of expreſſing themſelves, confirms what I have had the honour of telling you in the firſt Audience; that this deſire of being remov'd from Monſieur *Mazarin*, did not flow from the proper Motions of Madam *Mazarin*'s own Heart, but that She was acted by the Spirit of another in all this matter.

This, GENTLEMEN, appears ſufficiently in the hard opprobrious terms that have been caſt upon Monſieur *Mazarin*, which cou'd never proceed from the Mouth of a reaſonable Woman againſt her Husband; She ought to complain without inſulting, to endeavour to raiſe the Compaſſion of her Judges, and not the laughter of the Audience: She ought to lay open the Injuries he does her, and not affect to do him any: She ought in ſhort to acknowledge, and reſpect in him always the hand of God, which has given him to her for a Maſter.

This Character a Woman of Senſe wou'd always maintain in theſe ſort of Actions; and tho' She thought otherwiſe in her Heart, yet Prudence wou'd forbid her to let it appear.

Madam *Mazarin* wou'd without queſtion have kept up that Character of Moderation, and Sweetneſs, that is ſo very natural to her, and that She has for all the reſt of the World; and She wou'd have inſpir'd it into thoſe, that She had charg'd with her Defence, if that had been any part of her Care. She wou'd have avoided diſhonouring, without neceſſity, a Name which She bears; and making

making that Man ridiculous, whoſe Honour or Infamy She is by her Condition oblig'd to ſhare.

But what ſtill better proves how little Madam *Mazarin* is concern'd in what has been pleaded to you, is the contradiction between the principal Facts, which they have advanc'd, and thoſe which She her ſelf has publiſh'd in her Apology, under the Title of her Memoirs; to excuſe that Conduct, which She judged rightly, that all the World wou'd blame. It is not likely, that Madam *Mazarin* wou'd give Inſtructions for a Defence to be made before you, ſo different from that which She has offer'd to all Nations of the Earth in that Hiſtory, which is tranſlated into ſo many different Languages.

This, GENTLEMEN, Maſter *Sachot* honeſtly avows, that he has receiv'd neither Memoirs, nor Inſtructions, from Madam *Mazarin*: And I am very glad, for the Intereſt of his Client, as well as mine, that he has made this Confeſſion, which juſtifies 'em both; by informing us that theſe biting Railleries, theſe ſcandalous Charges, the Accuſations of Perfidy, Hypocriſie, and Folly, do not come

come from Madam *Mazarin*, but are ſuggeſted by ſome Foreign Malice.

But Maſter *Sachot* muſt excuſe me, if in praiſing at once his Zeal, and Sincerity, I make bold to complain of his eaſineſs in pleading in the Name of a Wife, ſo many injurious things againſt her Husband; not only without the leaſt proof, but even without the leaſt Inſtructions, or Warrant for it. Methinks a Man ſo exact as he, that expects that I ſhou'd produce Monſieur *Mazarin*'s Hand to warrant my ſaying, that he will ſuffer his Wife to go to a Play, ſhou'd be much more oblig'd to have Madam *Mazarin*'s, to give the Publick this Farce at her Husband's Expence; and to make ſuch a Satyr upon him, as reflects upon her ſelf.

But from what hand ſoever theſe ſhafts come, which are let flye at us, 'tis no difficult matter to enſure Monſieur *Mazarin* againſt 'em; and to ſhew, that nothing that has been urg'd againſt him, in all theſe Pleadings, ought to do him the leaſt damage, either in his Cauſe, or in the Opinion of the World.

I might, GENTLEMEN, neglect the Story, as foreign to our Cauſe as it is falſe, of 50000 Crowns promis'd by Mon-

Monſieur *Mazarin*, to Monſieur the Biſhop of *Frejus*, to promote this Match; of which, as they ſay, he has ſince denied the Payment. But ſince they have taken occaſion from it, to harangue, not only againſt Monſieur *Mazarin*, but in ſome meaſure againſt Devotion it ſelf; I think it convenient to acquaint the Publick, that this Story is a meer Fiction.

As there is no proof offer'd, a bare denyal may ſuffice; but to give it the more weight, I deſire your leave to read what Monſieur *Mazarin* writes to me hereupon, in a Letter which I receiv'd yeſterday from him; 'tis well known how incapable he is to aſſert a Lie, or deny a Truth; and how tender conſcienc'd he is in that point; ſo that I doubt not but the Council will do him the honour to believe him, before Madam *Mazarin.*

Nothing can be more falſe, than the Agreement for 50000 *Crowns, with Monſieur, the Biſhop of* Frejus; *he never ſaid, or ſtipulated a Word; the late Cardinal* Mazarin *projected our Marriage, with Monſieur* Tellier *the Chancellor: 'Tis true, that Monſieur the Biſhop of* Frejus *was after*

ter made a Confident. Where's the Senſe of drolling upon a falſhood, an imaginary breach of Word?

Having read this, I ſhall make but one Remark, which is, that to me it ſeems very difficult to reconcile the Fact of this Perjury (for ſo they call it, and ſuch it were, if true) with the Character which they have given Monſieur *Mazarin*, thro' all the reſt of their Pleadings. Wou'd a Man, that gives all his ſubſtance to the Poor, that ſacrifices Millions to purchaſe Heaven, be guilty of Perfidy, to ſave 50000 Crowns?

You make his Devotion prodigal, and covetous at the ſame time; charitable, and perfidious, giving profuſely where 'tis not due, and refuſing baſely where 'tis. You ought at leaſt to give him a more equal Character, and to ſort your Fictions better, if you wou'd have 'em believ'd.

Let us now return to thoſe Facts, which have Relation to our Caſe.

They have paſs'd very ſlightly over the manner of Monſieur and Madam *Mazarin*'s living together in the firſt years of their Marriage; becauſe indeed they dare not deny, that they liv'd in great

great Concord. Now this is a matter of extream Importance: For they have told you, and it is true, GENTLEMEN, that Monsieur *Mazarin* was devout at the time of his Marriage, as he still is. How then comes this Devotion to be so odious to her, after She had born with it for six years together, without the least diminution of her Affection for Monsieur *Mazarin*? What reasonable excuse can She make for her Elopement, or for the Demand that She makes to be authoriz'd to live apart from her Husband?

Monsieur *Mazarin*'s Temper is no way alter'd, his Sentiments are the same that they were at the time of their Marriage; that golden Age, when they liv'd in perfect Union. 'Tis therefore Madam *Mazarin* that is chang'd; which can be nothing, but the effect of her Inconstancy; had She continued in those good Inclinations, She had with my Client enjoy'd the same Happiness and Tranquility to this day.

They pass thence to the time of her Flight; they thought themselves oblig'd for her honour, to say, that She had suffer'd abundance before She took up that Resolution: But since these Grievances never

never appear'd, ſince She never complain'd of 'em, ſince She contented her ſelf with a ſimple Action for a Separation of Effects; they are forc'd to pretend, that her ſilence was the reſult of her Diſcretion; that She thought her ſelf oblig'd as a Mother, to demand a Separation of Effects, to hinder the ruine of her Children; but that She neglected what related to her own proper Eaſe and Intereſt only.

Here's a very laudable Diſcretion, that will not ſuffer Madam *Mazarin* to tell her Caſe, and ſeek Remedy from Juſtice; yet does not hinder her from running away in the Habit of a Man, with one of the moſt agreeable, but leaſt diſcreet Lords of the Court.

But the point of Diſcretion is no longer to be diſputed; the Mask is off; therefore you muſt immediately lay open, that ill Uſage, thoſe intolerable Hardſhips, which have forc'd her upon the cruel neceſſity of throwing her ſelf into the Arms of the Chevalier *de Rohan*; For 'tis to no purpoſe to ſuppreſs his Name, ſince you have nam'd him. Or if Monſieur *Mazarin* has not proceeded ſo far as ill Uſage, tell us at leaſt what Menaces, what diſobliging Diſcourſes She has had from

from him? You owe an account of 'em to the Council, to the Publick, to the Juſtification of Madam *Mazarin*, and to the Defence of her Cauſe.

Wou'd you perſwade the Council, that 'tis out of Modeſty, that you conceal theſe things? Do you think it ſufficient to affect a myſterious Air, and to ſay, that you are unwilling to affront Monſieur *Mazarin* ſo far, as to tell neceſſary Truths, when you offer him ſo many, and ſo groſs Injuries; and lay, without any occaſion, ſo many falſe Crimes to his Charge?

You ſee therefore evidently, GENTLEMEN, that the Silence of Madam *Mazarin* before her Flight, and of her Advocate at preſent concerning thoſe hardſhips, which they in general Terms ſay She has ſuffer'd, are in a manner ſo many formal Acknowledgments, that She has not met with any.

You have been told, that what oblig'd Madam *Mazarin* to flie, was, that Monſieur *Mazarin* foreſeeing that he ſhou'd be caſt in the caſe of Separation, frighted Madam *Mazarin* away deſignedly, by falſe Intelligence; that he ſubörn'd Perſons to tell her, that She wou'd be overthrown, and that then he wou'd

ſhut

ſhut her up between four Walls; but what confirm'd this Reſolution, was, that Monſieur *Mazarin* obtain'd a Decree to take her into his Cuſtody, and that She fear'd that he wou'd ſeize her by Virtue of it.

Madam *Mazarin*, in her Memoirs, which are in every Bodies hands, ſays, that what made her take up a Reſolution of leaving the Kingdom, was, that She knew that the GENTLEMEN of the great Chamber wou'd reject her Petition for Separation of Effects, and oblige her to return to her Husband: That this Advice came from ſo good hands, and he that gave it her made ſo tickliſh a ſtep in it, that She wou'd never diſcover his Name. Give me leave, GENTLEMEN, to read this Paſſage to you, which is conceiv'd in Terms more ſtrong than I have reported.

Memoir, Fol. 119.

During theſe Broils, Our Suit went ſtill fowards; Monſieur Mazarin *was as much favour'd by the Old Men, as I by the Young Ones. At the end of three Months, I receiv'd advice, that he had made himſelf Maſter of the Great Chamber; that his Party cou'd do any thing there, and that he*

he might have what Decree he pleas'd; and that they would not only deny me a Separation of Effects, which I desir'd; but would take from me that of the Body, which I then enjoy'd, and did not sue to them for; that in short, according to the Rules of Law, the Judges could not avoid ordering me to return to my Husband, tho' they had been as favourable to me, as they were the contrary. If this Advice had come from a less friendly hand, I might have nam'd my Authors; but as in doing it, they made a very hazardous step, they exacted Secrecy of me, which I will keep for ever. Judge then, what I was to expect from Monsieur Mazarin, *if I had return'd to him upon a Decree, having the Court, and the Parliament against me; and, after so many occasions of Resentment, as he thought he had. These were the Motives of that so strange, and so much blam'd Resolution of retiring into* Italy *to my Relations.*

You see, GENTLEMEN, what Madam *Mazarin* her self says; it is not therefore true, that Monsieur *Mazarin* was like to lose his Cause; nor that he caus'd false Intelligence to be given to Madam *Mazarin.*

As for the Warrant to take Madam *Mazarin*, How can that be pretended to have been the occaſion of her Flight, which was not obtain'd till two days after She was gone; and which was procur'd only on that occaſion? And 'twas this very Warrant, which gives him Liberty to make purſuit after her. She made her eſcape in the Night, on the 13th or 14th of *June*, and the Warrant was iſſued on the 15th. How cou'd Monſieur *Mazarin* petition for leave to recover Madam *Mazarin*, when She was actually lodg'd in his Houſe.

All theſe Excuſes therefore are ſtark naught, and we may take it for granted, that Madam *Mazarin* had no other reaſon for her Flight, than her own Levity, and Paſſion.

But, ſay they, Madam *Mazarin* ſaw ſtrange Waſte, the rich Furniture diſappear'd day by day, She ſaw her ſelf upon the brink of Ruine, and her Children like to be the pooreſt Gentlemen in the Kingdom.

Who wou'd have believ'd, GENTLEMEN, that Cardinal *Mazarin*'s Heireſs ſhou'd have run away, and left the Kingdom for fear of Poverty, and Starving

in

in *France*? So that this Pretence is as frivolous as the reſt.

But the rich Moveables diſappear'd, you ſay; If you mean thoſe of your own Apartment, you are in the right; for you carried 'em away your ſelves; and they diſappear'd in a very ill manner, for they have ſerv'd to facilitate Madam *Mazarin*'s Flight, and to ſupport her fooliſh Extravagancies.

But all the other Moveables remain'd, and do ſo ſtill; thoſe only excepted, which Monſieur *Mazarin* gave to my Ladies, his Daughters, upon their Marriage; and there is yet in the Palace of *Mazarin*, to above the value of a Million. In the ſame caſe are all the Effects of the Cardinal; my Client has not ſold one Farthings Worth, as I ſhall ſhew by and by, in the proper Place.

But ſuppoſe there had been ſquandering, will that excuſe the Flight of Madam *Mazarin*? Will that juſtifie her abandoning her Husband, and his Houſe? On the contrary, is not a Woman the more oblig'd to ſtay at home, to rectifie, or hinder by her Advice, the Profuſeneſs of her Husband; or, by her Oeconomy, to repair it?

You have been told, GENTLEMEN, that Monſieur *Mazarin* rejoyc'd at the Flight of his Wife, tho' he feign'd an Affliction; that his Friends came to wiſh him Joy of it, and that he wou'd not lay hold on thoſe occaſions of Reconciliation that were offer'd him.

Don't inſult the Sorrow, that this ſcandalous Flight has given Monſieur *Mazarin* for himſelf, and her Intereſt; It has been but too piercing, too publick, and of too long continuance; Madam *Mazarin* her ſelf ſays ſo of it in her Memoirs; She raiſes a Trophy upon it, and undoubtedly will take it ill, that you pluck it down, and rob her of the Honour.

My Client's Friends might perhaps be glad of it, becauſe being unprejudic'd, they judg'd more truly of the matter; but as for him, he is not aſham'd to confeſs his weakneſs, and avow, that nothing ever wounded him ſo deep; and that he did his utmoſt to prevent her going out of the Kingdom.

This it was, that drew that Anſwer ſo full of Spirit, and Wiſdom, from a Mouth accuſtom'd to deliver nothing but Oracles. (*You ought rather to deſire my Orders to the Governours to keep her out of* France, *than to keep her in.*) But how

how cou'd Monſieur *Mazarin* advantage himſelf by that Advice, which, as you ſee, he is not yet in a Capacity to make uſe of?

They have trump'd up again the mention of what paſt, when Madam *Mazarin* return'd into *France* with Monſieur, the Duke of *Nevers*, that She was brought to Court by order of the King, and had the honour to talk with him. They give an account of this matter directly repugnant to the Truth, and to that which Madam *Mazarin* her ſelf has given of it in her Memoirs.

'Tis true, that the King underſtanding that Madam *Mazarin* was at *Nevers*, and being griev'd to ſee the Misfortunes into which She plung'd her ſelf, and reduc'd her Husband, had the Goodneſs to interpoſe, in order to reconcile 'em.

He Commanded Madam *Mazarin* to come to Court, and gave her his Word (which is the beſt Safeguard that even his Enemies can have) that She ſhou'd have no violence offer'd her; and that if She did not come to an Accommodation with Monſieur *Mazarin*, She ſhou'd be reconducted out of the Kingdom in ſafety. The Lady *Belizany* went for her by his

Order, and brought her to Madam *Colbert's* Houſe.

She had the honour to talk with the King, who did not propoſe to her, what they have pleaded, to ſtay at *Paris*, and proſecute her Suit of Separation. Had not that been a pretty Accommodation, and worthy the Care of ſo great a Monarch? Such a hand as his ought perfectly to heal all that it touches; and She had another ſort of Proceſs to look after, than that of Separation of Effects; and She wou'd have been very happy, if one might have compenſated for t'other.

The King propos'd (as She her ſelf owns in her Memoirs) to her, to be perfectly reconcil'd to her Husband, and to return to her Houſe: And he not only propos'd it, as She confeſſes, but he adviſ'd it likewiſe.

His Majeſty had the Goodneſs to add ſuch Conditions, as ought to have ſtifled all her Caprices, and with which any other Woman wou'd have been highly ſatisfied; (*That Monſieur* Mazarin *ſhou'd have no Inſpection of her Servants, and that She ſhou'd not accompany him in his Journies*;) and ſome other ſuch like, in which he was willing to indulge the ill humour of Madam *Mazarin*.

Yet

Yet all this wou'd not content her, She prefer'd her own Whimſies before the obliging Counſel of the wiſeſt Prince on Earth; She declar'd poſitively, that She wou'd not return to Monſieur *Mazarin*, and deſir'd him to reconduct her into *Italy*, with the Penſion of 24000 Livers which he had given her hopes of. It is not true, that She choſe to ſtay in *France*, and that the King oblig'd her to leave it; and the Placet, or Letter which they have read in this Audience is a ſpurious Piece, and her own Memoirs give the lye to it; I deſire the leave of the Council to read her Account of this matter.

Memoir, Page 119.

To know the Truth, the King ſent to me at three Months end by Madam Belizany, *with an Exempt, and Guards, in Madam* Colbert's *Coach, with whom my Brother had deſir'd the King to lodge me, as a place where no body cou'd oblige me to diſguiſe my Sentiments: Two or three days after he made me come to Madam* Monteſpan's *to talk with him; I ſhall never forget the goodneſs with which he receiv'd me, even to pray me to conſider, that if he had not made bet-*

ter Terms for me in what had paſs'd, my Conduct had depriv'd him of the means; *that he wou'd have me ſpeak my Mind freely, that if I was abſolutely determin'd to return to* Italy, *he wou'd give me a Penſion of* 24000 *Franks, but* that he wou'd adviſe me to ſtay; *that he wou'd make my Accommodation as advantagious as I pleas'd*; that I ſhou'd not follow Monſieur *Mazarin* in any of his Journeys; and that he ſhou'd have nothing to do with my Domeſticks; *and that if his Careſſes were ungrateful to me, I ſhou'd not be oblig'd to ſuffer 'em; and that he wou'd give me till to morrow to conſider of it.*

I cou'd eaſily have anſwer'd him upon the ſpot, as I did the next day.

That after having endeavour'd to take away my Honour, as Monſieur Mazarin *has done; after refuſing to receive me again, when I offer'd to return without any Condition, and he knew the extream neeeſſity I was in, I cou'd not prevail upon my ſelf to return to him; that whatſoever Precautions might be taken, he was of ſuch a Humor, that I muſt neceſſarily ſuffer twenty hardſhips from him daily, which it wou'd not be proper to trouble his Majeſty withal; and that I accepted with abundance of thanks,*

the

the Penſion which he was pleas'd to beſtow upon me.

After ſo ſubſtantial Reaſons, you will be ſurpriz'd to hear, that all the World blam'd my Reſolution, *but the Judgments of Courtiers differ very much from thoſe of other Men. Madam* de Monteſpan, *and Madam* Colbert *did all that lay in their Power to oblige me to ſtay; and Monſieur* Lauzun *ask'd me,* what I intended to do with my 24000 Franks? That I ſhou'd eat 'em out at the firſt Inn, and be forc'd to return ſhamefully for more, which wou'd not be given me.

You ſee, GENTLEMEN, what Opinion they had of this good Manager, that accuſes her Husband of Profuſion.

The King not being able to perſwade Madam *Mazarin,* was oblig'd to make good his Word, and to cauſe her to be convey'd in ſafety out of the Kingdom. After this manner things went: we ſhall in the ſequel examine thoſe Advantages Madam *Mazarin* pretends to draw from hence.

We ſhall now proceed to an Examination of the means, which have been offer'd you. I ſhall not reply to the Hiſtorical Curioſities, which they have brought, the uſe of the Divorce in Old *Rome,*

Rome, nor the Inclination the *Roman* Ladies had to put it in Practice; 'tis nothing to our Cauſe, unleſs they mean 'em as Precedents, to ſhew that Madam *Mazarin* is not the firſt, whoſe Inclinations have ſtood that way; that She does not degenerate from thoſe Ladies from whom perhaps She is deſcended; and that She has in this a Soul truly *Roman*; but all this does not exempt her from the Penalties enacted againſt thoſe Ladies in the *Novells*, which I have cited.

They have endeavour'd to avoid the force of thoſe Laws by a twofold Anſwer.

Firſt, they pretend 'em to be no longer in Force, ſince the abolition of the Divorce; after which only the Privation of Dower took place, of which it was a conſequence, and without it never obtain'd.

I have already in my Plea, provided againſt this Objection, and ſhewn you, GENTLEMEN, that the Abolition of the Divorce, which was one of the Puniſhments of the ill Conduct of Wives, ought to be ſo far from exempting 'em from t'other, which was the Privation

of

of Dower, that this latter becomes thereby the more neceſſary.

You have ſeen likewiſe, that 'tis the Intent of our Cuſtoms, divers of which conclude expreſly for it; that 'tis the Practice of the Soveraign Courts, that 'tis an adjudg'd Caſe, to all which I have not heard any Anſwer.

We muſt therefore allow, that our Law in this agrees exactly with the *Roman* Laws; and that the aboliſhing the uſe of Divorces, has not abrogated this Penalty.

The ſecond Objection which they make, is that there is in the *Novells*, a Clauſe of Exception for thoſe Women, that retire to their Fathers, or Mothers. This they ſay extends to Madam *Mazarin*; becauſe in caſe of a want of Father, and Mother, the other near Relations fill their Room; and eſpecially when they are cloth'd with eminent Dignity, which challenges for them the ſame reſpect that is due to Parents; and to this Poſition I agree.

Now ſay they, when Madam withdrew firſt into *Italy*, She Lodg'd with Monſieur the Cardinal *Mancini*, a Man of great Virtue: This likewiſe is true; but they ought to add that Cardinal

Man-

Mancini ſoon finding his Authority too weak to keep her within thoſe Bounds, that he deſir'd, put her into a Convent, of which Madam *Mazarin*, the Cardinal's Siſter, was Abbeſs: Here likeweſe I allow that her honour was ſafe, She was cover'd from Scandal; but She had been here but 15 days, when She eſcap'd by a Stratagem, under colour of reconducting Madam her Siſter. She tells this Story her ſelf in her Memoirs, and cloſes it pleaſantly in theſe words, *The Poor Old woman*, ſays She ſpeaking of her Aunt, *took this adventure ſo much to heart, that She died of Grief a few days after*.

This is an Illuſtrious Teſtimony of the Reſpect that Madam *Mazarin* has for her Relations, and their Dignities, and of her own Good Nature.

They add, that in her ſecond Journey to *Italy*, Monſieur the Conſtable *Colonna* receiv'd, and lodg'd her in his Houſe.

This too is true; but they don't tell you, how well She obſerv'd the Laws of Hoſpitality; Her firſt care was to inſpire in to Madam the *Conſtable* her Siſter the ſame Sentiments for Monſieur the *Conſtable*, that She had for Monſieur *Mazarin*; and She wrought ſo effectually, that

She

She ſoon perſwaded her to go to *France* in the ſame manner, that She had done to *Italy*: And as Madam *Mazarin* was by Experience vers'd in all the Stratagems that are requiſite to ſuch Enterprizes, Madam the *Conſtable* ſet ſail under her Conduct, and arriv'd ſafe at *Marſeilles*, in ſpight of all the diligence of Monſieur the *Conſtable* to purſue, and take 'em.

At laſt you are told, GENTLEMEN, that in *England* She was lodg'd in the Palace, and near the Perſon of the Queen; I ſhall not add any thing on this occaſion, to what I have already ſaid in the firſt Pleading, except that 'tis not true, that She did ever lodge in the Palace of the Queen, while She was Dutcheſs of *York*, or in the King's Palace after that Princeſs came to the Throne; She always lodg'd in an Apartment belonging indeed to the Palace of St. *James*, but St. *James*'s Palace is not the Place of the King's Reſidence, which is call'd *White-hall*, not *Louvre*; for the Name of *Louvre* is taken from the place where the Palace of our Kings is built. It is in reſpect of *White-hall*, what the Caſtle of the *Tuillerie* is reſpect of the antient *Louvre*; and Madam *Mazarin*'s Lodgings are to the Caſtle of St. *James*, what the

Sieur

Sieur Renard's Houſe formerly was to the *Tuilleries*. Judge then, GENTLEMEN, if this be near enough the Palace, to ſay, that the Queen's Preſence, and the Reſpect, that Madam *Mazarin* had for her Perſon, are ſufficient to baniſh all Suſpicion; and if any one wou'd upon this bottom warrant all, that paſs'd in her Lodgings.

But this is an un-neceſſary Enquiry, ſince Monſieur *Mazarin* is willing to pardon what's paſt, provided that Madam *Mazarin* will without delay return to her Duty. Don't therefore give your ſelves the trouble of a too difficult Juſtification, which Monſieur *Mazarin* does not exact from you: He will believe her Innocent, content your ſelves with that, and take care, that your Over-Officiouſneſs to juſtifie her, does not, by opening too much, produce a quite contrary effect.

The ſame reaſon ſhall make me paſs lightly over their diſtinction between the two retreats of Madam *Mazarin*: They ſay, that if her cauſing her ſelf to be carried away at firſt, had any thing criminal in it, 'tis cover'd, and Reparation made by her voluntary return into *France*. That the ſecond is wholly innocent, as being involuntary, and done by the King's Per-

Permiſſion, and in Obedience to his Order.

But firſt, how can they pretend, that Madam *Mazarin*'s coming back into *France* without returning to her Husband, is a Reparation of her Fault in running away from him? Does a Woman, that has made an Elopement out of the Kingdom, recover her Innocence, as ſoon as She ſets foot upon *French* Ground?

I agree, that if a Woman returns to her Husband, and he receives, and lives with her without Proſecuting his Revenge for the Injury, he ſhall not afterwards be allow'd to revive his Complaint, becauſe ſuch a Cohabitation ſhall be conſtrued a Remiſſion. But here's nothing like it. Monſieur the Duke of *Nevers* carried away Madam *Mazarin* into *Italy*, and he has brought her back again into *France*, without joyning Monſieur *Mazarin*; this is rather a continuation of the Affront, than a Reparation.

As for the ſecond retreat, I have already acquainted you, GENTLEMEN, that they have not truly repreſented the matter of Fact, and that if the King did reconduct Madam *Mazarin* out of the Kingdom, 'twas in conformity to his Word, and the deſire of Madam *Mazarin*; that

that this did no way wipe off the Wife's Guilt, nor impair the Rights of the Husband.

Don't we ſee Fugitives, and Criminals appear every day upon the credit of Protections, which are granted either by their Creditors, or by order of Council? When the time of their Protections are expired, and they withdrawn, are not the Proceſſes againſt 'em continued, and they eſteem'd not a whit the leſs culpable?

Madam *Mazarin* her ſelf was ſo little perſwaded of her own Innocence, or that the King's Permiſſion to retire into *Italy* was a Protection againſt the Purſuits of her Husband, or the right he had to recover her; that when She return'd with Madam the *Conſtable* her Siſter, into *France*, She durſt not appear, but in diſguiſe; and being inform'd that the Duke, who had ſome notice of her arrival, was in queſt of her, She made all the ſpeed She cou'd into *Savoy*, and thence She went into *England*.

All theſe falſe Defences therefore muſt be retrench'd; but (once more I repeat it) what ſignifies it to enter into a Diſcuſſion, which can be of no ſervice to Madam *Mazarin*, ſince my Client is willing

ing to pardon her all that is paſt, upon condition, that She returns immediately to him. What reaſon can She have to refuſe him? I wiſh her going away, her travels, her long abode in Foreign Countries, and her Conduct there, I wiſh, I ſay, that all this were cover'd, or rather that it were Innocent; But can her refuſing to return to *France*, and Monſieur *Mazarin* be excus'd? Can her obſtinacy be look'd upon otherwiſe, than as a freſh Injury, a new Crime? Is She a Widdow, has She transfer'd her ſelf to any other Man's Authority? The Church, and the Laws of the Land have given him to her for a Husband, and commanded her to obey him; has any other Power diſpens'd with her?

Tho' it were true, that the King had given her leave, or even order'd her to retire for ſome time to her Relations in *Italy*, is it not a manifeſt abuſe of his Permiſſion, to extend it to ſo long a ſtay in Foreign Parts, and to plead it ſtill for the continuance of it? Can She pretend, that 'twas the Deſign of a Prince ſo Religious, and ſo zealous for Diſcipline, to ſeparate her from her Husband for ever? Has he not plainly enough ſignified the contrary, when offended at her obſtina-

cy, he has taken away the Penſion of 24000 Livers, which he allow'd her for the two firſt years of her Abſence?

Dare any one maintain, that in permitting her to go into *Italy*, he gave her leave to harbour among his Enemies, in the Court of an Uſurper, in a Heretick Country, the Object of Heaven's Wrath, and Man's Averſion?

'Tis therefore certain, that Madam *Mazarin* is without Excuſe; that her Flight, her two and twenty years ſtay in a ſtrange Country, and her refuſal yet to return, are ſo many breaches of her Duty, and of her Matrimonial Obligations, the natural, and legal Puniſhment of which is deprivation of Dower, and Settlement. If you do her the Favour to allow her time to avoid this Penalty, in caſe She does not within that time yield Obedience to your Orders, you can't too ſeverely puniſh her paſt Faults, and her preſent Contempt.

Let us now proceed to conſider what has been ſaid to ſupport her incident Demands, and begin with the 100000 Livers for the payment of her pretended Debts.

I ſhall

I ſhall not, GENTLEMEN, repeat any thing that I have already had the honour to ſay to you on this Head.

I ſhall only cite you one Decree of Parliament of the 23d of *March*, 1672, as 'tis reported in the ſecond part of the Journal of the Palace, which rejects the like Demand of a Woman in a Caſe much more reaſonable on her ſide, than 'tis in this.

Frances Frottier having quitted her Husband during the Proſecution of an Appeal which She had brought concerning an Abuſe in the Celebration of her Marriage, which was not ill grounded, She having been Married under the Age of twelve Years: She contracted during this Abſence, ſome Debts to 5000 Livers, for things neceſſary for her Subſiſtance only. After She had been caſt upon the Appeal of Abuſe, She demanded, that her Husband ſhou'd be oblig'd to pay theſe petty Debts: She grounded it upon the Obligation he was under to give her Maintenance, upon the cauſe, and the ſmallneſs of theſe Debts contracted for her Subſiſtance; upon the neceſſity She lay under of quitting his Houſe, becauſe in continuing with him, She had ratified the Marriage.

Monſieur *Maupeou*, ſince Advocate General, was Council for the Husband, and ſhew'd, that he ow'd no Alimony to her, but while She liv'd with him; and that the Obligation to maintain her was inſeparably bound to an actual Cohabitation; his Argument is reported in the Journal; upon this a Decree was obtain'd, avoiding the Demands of the Wife, and her Creditors.

How much more ſtrongly will it take place againſt a Woman, that has abſented her ſelf not only from her Houſe, but from the Kingdom, without any neceſſity, out of meer Caprice; and againſt Debts contracted by Expences abſolutely ſuperfluous?

It has been objected, GENTLEMEN, that all this wou'd be good, if the Creditors were ſubject to our Laws; but We have to do with *Engliſh* Men, whoſe Laws differ from ours; who will by violence extort, what they can't by Juſtice. They have in a very pathetical manner, aggravated the Peril She is in of her Life; as if they put in Execution in *England*, that old Law, which allow'd the Creditors of an Inſolvent to tear him to pieces; and they have repreſented Madam

Ma-

Mazarin to you, as one that every Moment expected Martyrdom.

But how ſhall we reconcile this Tragical Repreſentation to what we ſee clearly, that it has been Madam *Mazarin*'s Fault alone, that She did not come to *France*, when ſo many natural born *Engliſh* Men, the greateſt part of which left Debts undoubtedly more effective, than hers, came without impediment? How does this accord with what I have already obſerv'd, that there has yet been no Suit commenc'd againſt her, no obſtacle rais'd by her Creditors to hinder her coming?

Does not all the World know, that inſtead of being arreſted at *London*, She was forc'd to have recourſe to the Superiour Authority for leave to ſtay? If her Life was in danger, as She ſays; if She was expos'd to Martyrdom, wou'd She make Application to continue there? Wou'd She prefer ſuch an Abode to her Husband's Houſe? Unleſs ſome ſplendid fit of Zeal makes her covetous of that glorious Palm, and gives her a holy Ambition of being ſacrific'd by that barbarous Nation; and having that at leaſt in common with that * Illuſtrious Maid, whom our Nation

* *Joan of Orleans.*

acknowledges to have been her Deliverer.

But we need not fear any ſuch thing from Madam *Mazarin*; a Woman that takes it ill, that her Husband employs any part of his Wealth in Works of Piety, will never be prodigal of her Blood for Religion. Undoubtedly She muſt be in great Security in *England*, ſince She can't reſolve to leave it, till She has articled for her Habitation, and Penſion in *France*.

Thus, GENTLEMEN, I have ſhewn you, that her Debts are a meer Sham, a Pretence devis'd by her Counſel at *Paris*, to excuſe her Obſtinacy: I ſhall not repeat all the Particulars; but I ſhall anſwer only to ſome Letters, which were read to you laſt Hearing, to prove the reality of theſe Debts.

Theſe Letters, they tell us, are written naturally, and without Study, they come from the heart, and by conſequence we are not to doubt the truth of what Madam *Mazrrin* ſays in 'em; that her Creditors are importunate, and that She is afraid of being ſued.

Firſt, theſe Letters are not acknowledg'd.

But,

But, if they were, are we oblig'd to believe Madam *Mazarin*? Shall we give her a 100000 Franks, becauſe She writes word, that She ows ſo much, and has occaſion for it?

But I deſire the Council to obſerve, that theſe Letters don't mention the Summ of her Debts: Now if the Dutcheſs of *Nevers* had any Letter, that was more particular in the Summ, She wou'd undoubtedly have produc'd if; It muſt therefore be Monſieur or Madam *Nevers*, or he that drew up this Defence, that has officiouſly tax'd Monſieur *Mazarin* at 2 100000 Livres.

But pray let me ask you, who inform'd you that theſe amounted to 100000 Livres, ſince as you confeſs, you have receiv'd no Memoirs nor Inſtructions from Madam *Mazarin*, but theſe Letters, which are not particular? 'Tis then by gueſs, that you make this Demand; and do you think the Judges will fine Monſieur *Mazarin* 100000 Livres upon this, and give a Judgment at random, as you have made your Demand?

'Tis further evident, that theſe Debts were invented at *Paris*, and that Madam *Mazarin* writes nothing in theſe Letters but by Inſtruction from hence, which I

ſhall make clearer, than the light, by two or three Circumſtances.

The firſt is, that in the Letter of the eldeſt date of the three, which is of the 15 of *October* laſt, Madam *Mazarin* writes to Madam *Nevers* in theſe Terms; *I ſend you the Certificate you deſir'd*; this Letter is not preceeded by any other, by which it appears, that Madam *Nevers* requir'd a Certificate of Madam *Mazarin*, and that She requir'd it before Madam *Mazarin* had ſaid any thing to her of her Debts, or the difficulty of leaving *London* without paying 'em; and by conſequence 'tis plain, that theſe pretended Debts, and the Detention of Madam *Mazarin*, are of the growth of *Paris*, in which Madam *Mazarin* is not concern'd.

The ſtile it ſelf of theſe Letters, which you ſay is ſo natural, is far from it; and may ſerve as a farther proof, that they were written by Direction. When Madam *Mazarin* writes naturally, and from her Heart, She writes incomparably better; but eſpecially, if She were in the condition there pretended; her Danger, and her Wants joyn'd to her natural Eloquence, wou'd have made her write

in

in a Stile much more lively, and moving, than that of thoſe Letters.

What probability is there, that She who writes from a Country, where She had been an Eye Witneſs of ſuch great Revolutions, and where She muſt needs have had a particular Share in many ſingular Events; of which She might believe Madam *Nevers*, who had ſo much kindneſs for her, wou'd be glad to be inform'd; what probability, I ſay, is there that She ſhou'd take no notice at all of 'em, not ſo much as a ſingle word concerning Monſieur *Mazarin*, or her Sentiments of him? She ſpeaks of nothing, but her Creditors, becauſe She was order'd to ſpeak of nothing elſe in theſe Letters devis'd on purpoſe, which were undoubtedly accompanied by others more Inſtructive; but in theſe She talks ſo ſlightly, that the Man muſt be blind, that can't ſee that She is not in earneſt.

You ſee therefore, GENTLEMEN, that there never was any Demand more raſhly made, nor with leſs Foundation, than this of 100000 Livers.

Let us proceed to their other Demand, which requires Permiſſion to live in a Convent.

You

You know, GENTLEMEN, that this is not to be granted, but upon very weighty Conſiderations; the Caprice of a Woman, or a diſguſt taken to her Husband, are not ſufficient Reaſons for breaking that Society, to which they are mutually oblig'd; there ought to be ſuch hard Uſage, as may merit the Name of Cruelty, with which they are uſually qualified. Do they offer Proof of any ſuch thing? No, they don't ſo much as alledge it.

All the reaſon they give, why Madam *Mazarin* can't return to her Husband's Houſe, is, that things are not at that paſs. What Language is this? What do you mean by it? What is there requiſite to bring things to ſuch a paſs, that a Wife may, and ought to return to her Husband, more than a valid Marriage, that the Husband be willing to receive her, and that has never treated her amiſs? All this is to be found here.

Madam *Mazarin*, they ſay, is averſe to it; this is all, that they have to oppoſe to it.

But firſt, who told you, that She was averſe to it? Have you a Deputation from her to ſay it? No! You have not ſo much as Memoirs from her; the Letters

ters themſelves ſay nothing of it. 'Tis Monſieur, and Madam *Nevers*, who, not loving Monſieur *Mazarin* themſelves, think that She ought not to be willing to live with him, and demand for her a Separation from her Husband of their own Heads.

On the contrary I maintain againſt you, that no Warrant or Memoirs from her appearing to ſupport your Authority, which is all that we have for this Averſion, We ought to preſume She has none, becauſe we ought to believe, that every Perſon wiſhes, and acts according to his Duty, till the contrary be made to appear.

But tho' it were true, that Madam *Mazarin* had ſome reluctance to return to the Duke, is that a good reaſon why She ſhou'd be diſpens'd with, and ſeparated from him? If all the Married Couples, either of which had conceiv'd any diſguſt for the other, were to be parted, how many Divorces ſhou'd we ſee? Are there any Perſons ſo exactly form'd for one another, ſo perfect, or ſo happy, as not to give one another reciprocal occaſions of diſſatisfaction in ſo ſtrict a Society? Inſenſibility is none of the Conditions of this Life, and I queſtion whether

ther it be lawful to deſire it. We are not therefore to regard theſe Niceties, when there are no eſſential Reaſons for Separation, eſpecially from the Mouth of a Woman that has liv'd with her Husband ſix years in perfect Unity; that has had in that time four Children by him, the Pledges of their mutual Affection, and the living Proofs of her Inconſtancy.

They object to Monſieur *Mazarin*, that he has three great Faults, (they don't indeed ſay it juſt in this Place, but it has been ſcatter'd all thro' the Pleading of the oppoſite Party,) He is Jealous; He is Devout, and ſcrupulous to Exceſs; He is Profuſe, and ſquanders more in Alms, than others in their Debaucheries.

Let us ſee if any of theſe be foundation ſufficient to ground Madam *Mazarin*'s Demand upon.

Firſt for his Jealouſie, if it were real, it is obliging; and even when it becomes troubleſom, it is excuſable upon the ſcore of the Principle from whence it ſprings, at leaſt, while it proceeds not to Rage, and Violence.

But what ſigns of Jealouſie do you diſcover in Monſieur *Mazarin*? You can't inſtance in any. How can you accuſe him

him of that Weakneſs, who does not yet call your Virtue in queſtion after ſo much matter of Suſpicion as your imprudent Conduct has afforded him? Can you believe, that he was ever Jealous, whoſe good Opinion cou'd abide the ſevere Trials you have put it to, without Diminution?

As for his Devotion, 'tis a Fault too lovely to ſtand in need of our Defence; is that a ground for her Demand? If the Apoſtle does not allow a Wife, that is a Believer, to leave a Husband, that is not; How can we ſuffer Madam *Mazarin* to deſert her Husband, becauſe he is faithful and exact in the Duties of his Religion? Eſpecially, GENTLEMEN, ſince, as Maſter *Sachot* has told you, he was ſo at the time of his Marriage. She Married him Devout, and I ſhall add, that She lov'd him ſuch, why wou'd She not have him continue ſuch? If we may apply to this Quality, which is the Perfection of a Chriſtian, what has been ſaid of the real Faults of Matters of Commerce, might we not with Juſtice oppoſe to Madam *Mazarin*, the common ſaying, *Prudens emiſti vitioſum, dicta tibi eſt Lex?*

But perhaps Madam *Mazarin* will not find it ſo difficult to reconcile her ſelf to Monſieur *Mazarin*'s way of Living. The Seeds of Devotion are ſtronger in her, than She her ſelf ſuſpects. It wou'd be ſtrange, that a Lady, that ſprings from the ſame Blood, that has given to *England* that Mighty Queen, and to *France* that Virtuous* Princeſs, whoſe Piety will be rever'd in all Ages, ſhou'd have no Spark in her of that holy Fire, with which they were ſo inflam'd; not one Ray of thoſe lively Beams of Faith, which ſhin'd ſo bright in them.

* *The late Princeſs of* Conty.

But you ſee, GENTLEMEN, by her Defence, that She is in fear for her Salvation; this Fear is the beginning of Wiſdom. She deſires to retire into any Nunnery, that you pleaſe to aſſign: 'Tis therefore probable, that She finds her ſelf now better diſpos'd, than heretofore, to live after the manner that She ought, in ſuch Houſes. Why then will She not comply with that of Monſieur *Mazarin*? Nothing can reſemble the Regularity of a Convent, better than his Houſe. All the difference is, that in a Convent, She wou'd be out of the Rank where-

wherein Providence has plac'd her; whereas with her Husband She wou'd be in her proper Station. And tho' She ſhou'd at firſt feel a little Reluctance, a ſhort time wou'd reconcile her to a Yoak, that is all Sweetneſs to thoſe, that have once ſubmitted to it; and it wou'd happen to her, as the Apoſtle ſays in the ſame Place, that the believing Husband ſhall ſanctifie the unbelieving Wife.

Let us proceed to the pretended Diſſipations.

How dare Madam *Mazarin* accuſe Monſieur *Mazarin* of ſquandering? She that tells you, that She cou'd not ſubſiſt ſingly, and without Equipage, upon a Penſion of 20000 Crowns a year, which She conſtantly receiv'd from the King of *England*; She that has carried away, and ſquander'd 100000 Crowns worth of Jewels, and rich Moveables, and ſtill pretends her ſelf to be in Debt: She in ſhort that made it one of the ordinary Diverſions of her Youth, to throw Baggs of Gold away by handfuls, out of the Windows of the Palace of *Mazarin*, for the Pleaſure of ſetting the Mob together by the Ears?

Has She not great Right to call my Client to account for his Management of

of their Eſtate, and Houſe, after She has her ſelf entirely abandon'd the care of 'em? If Monſieur *Mazarin* after her Example had quitted his Houſe, and gone to live at *Venice*, or elſewhere, as She did at *London*, what had become of their Family, and Fortune? 'Tis ridiculous to bring in Madam *Mazarin* like the Maſter of the Family in the Goſpel, requiring of his Servants upon his return from his Journey, an Account of the Talents he left with 'em to be improv'd. And tho' it were true, that ſome waſte had been committed during her Abſence, is not She as much, and more culpable for her Flight, than He for his Adminiſtration?

But in the next place, What is this Profuſion, of which they accuſe Monſieur *Mazarin*? He is, ſay they, extravagant in his Alms. Let us refer that to the Goſpel, which ſays, *That to give Alms, is to heap up Treaſure.*

Nor ſhall I ſtick to ſay, that the Cardinal's Eſtate was ſuch, as requir'd a little, of what you call, Prodigality.

Theſe overgrown Eſtates are like Bodies too full of Blood, that wou'd be ſuffocated with Health, if they were not reliev'd by ſeaſonable Bleedings: They

They are like Rivers, whoſe Waters will not be damm'd up, but purge by flowing and diffuſing themſelves; they wou'd become corrupt, or break their Banks, and be entirely loſt, if they were too ſtraitly penn'd up. Thoſe that have the Management of ſuch great Fortunes, ought to imitate the Prudence of Pilots, that throw part of their Goods into the Sea, to ſecure the reſt. To diſſipate after this manner, is not to deſtroy, but to improve.

Thirdly, What relation have theſe Facts of diſſipation to our Cauſe? They wou'd be to the purpoſe in a Tryal for a Separation of Effects, but the queſtion being only, whether Madam *Mazarin* ought to return to her Husband, tho' there were really ſuch waſte committed, is that any reaſon, that She ſhou'd be diſpens'd with? On the contrary it ought to engage her the more to it, that She might be aſſiſtant to Monſieur *Mazarin* with her Care, and Advice, and endeavour in conjunction with him for the Preſervation of their Eſtate.

But in ſhort, the Fact is falſe, there has been no diſſipation of the Cardinal's Goods by Monſieur *Mazarin*. On the

contrary he has clear'd 'em, and added to 'em at the expence of his own Patrimony.

Tho' theſe Matters be altogerher Forreign, and that Monſieur *Mazarin* might very well wave taking any notice of 'em, without Prejudice to his Cauſe: Yet, GENTLEMEN, ſince he has been calumniated to You, 'tis his Intereſt to juſtifie himſelf to You.

Firſt, Has Monſieur *Mazarin* alienated any one of the Cardinal's Effects? I challenge you to declare, and defie you to name One: He hath had of him Lands, Governments, and Penſions from the Crown, all which are yet in his Poſſeſſion, or his Children's, to whom he has given 'em upon their Marriage: Wherein then does this waſte conſiſt? Has he run you into Debt? No. Whence then this fear of Poverty for your ſelf and Children in Poſſeſſion of ſo great an Eſtate, without a Farthing of Encumbrance?

Let us follow this Enquiry: Monſieur *Mazarin* has indeed made uſe of 1200000 Livers of the Portion which he had oblig'd himſelf to lay out in the Purchaſe of an Eſtate, with a Title annext to it, to which he was to give the name of *Mazarin*. Has he acquitted himſelf according

to

to his Obligation? To this end he bought the Dutchy of *Rethel*, not for 1200000 Livers, but 2200000 Livers. 'Tis true, that to make up this Summ, he borrow'd of the Duke of *Nevers* 400000 Livers, for which he pays Five *per Cent.* Intereſt; but there are 600000 Livers more, which come out of his own Pocket.

As for the Moveables, the Jewels, Statues, Pictures, they are all yet forth coming; thoſe excepted, which Madam *Mazarin* carried away with her. My Client has not ſold the worth of a Farthing. *

'Tis true, he has not been ſo good a Husband of his own Patrimony; he has ſold his Place of Great Maſter of the Artillery, and the Governments, which he had from Monſieur the Marſhal *de Meilleray*, his Father. But, beſides, that this concerns not Madam *Mazarin*, why has he ſold 'em? To pay part of the Price of the Dutchy of *Rethel*, and to

* *Here Monſieur* Sachot *interrupted Monſieur* Herard, *to tell him, that the Statues were broken; Monſieur* Herard, *made this Reply.* A very ſeaſonable Interruption! Did your Client run away, and does She ſtill refuſe to return for this? Is this your Excuſe for her Flight.

refund 1500000 Livers out of the ſeveral Benefices of Monſieur the Cardinal, which have been decreed againſt him.

Is it not ſtrange after all this, that they ſhou'd take the Liberty to publiſh to the World, and to ſay before you, GENTLEMEN, that Monſieur *Mazarin* ruines his Wife, and Children, and that he has ſquander'd five Millions? Will you know, GENTLEMEN, what theſe five Millions are? We'll lay 'em immediately upon the Table before you: They are five Millions in Bills of the Exchequer, and bad Debts, of which we have never receiv'd a Penny, and will afford a very good Pennyworth to any Purchaſer.

This, GENTLEMEN, is the Prodigal, the ill Husband, that ſells his own Eſtate, to clear and improve his Wife's. He gives Alms, but he does it out of his own Eſtate, out of what his Modeſty, and Frugality retrenches from the uſual Superfluity, and Luxury of Perſons of his Quality.

You ſee, GENTLEMEN, that of all the Arguments that have been produc'd to ſupport the Demands of Madam *Mazarin*, that not one has the leaſt Foundation.

Let 'em not pretend, that they have been too long aſunder to be brought together of a ſudden. For on the contrary, becauſe they have been too long diſjoyn'd, we can't reunite 'em too ſoon; that their Coalition may put an end to all ill Reports, and ſilence Slander, whoſe Mouth their Divorce has open'd. We ought to efface even the minuteſt track of this unhappy Diviſion. Madam *Mazarin*'s Retirement to a Convent, wou'd be but covering the Aſhes, whence the Flame might break out afreſh. They wou'd not fail, as you ſee, GENTLEMEN, they already threaten us, to adviſe her to renew her old Suit for a Separation of Effects, as unjuſt, and deſperate as it is, in hopes to make it a means to hinder their Reunion; whereas by obliging her to return immediately to her Husband, you will raze the Memory of all paſt Differences, and prevent any that may hereafter ariſe.

Their laſt recourſe is to the Number, Quality, and Worth of the Perſons, that ſolicite for Madam *Mazarin.* I grant, that you have on your ſide the advantages of Nature, Fortune, Greatneſs, Credit, Favour, Graces, and even Eloquence it ſelf; every thing is for you, except

the Law. Monſieur *Mazarin* has nothing for him but his juſt Right ſupported by my weak Voice, and the obliging Care of a Friend, that acts for him in his abſence; not from any proſpect of Intereſt, as you upon falſe Memoirs have ſuggeſted; but frankly upon a Principle of Friendſhip founded upon the Honour he has to be related to Monſieur *Mazarin*, and upon a grateful acknowledgment of thoſe Favours, and Marks of Eſteem, which he has for many years receiv'd from him.

But you are not therefore to inſult over our Weakneſs, and Solitude; We are no way apprehenſive of thoſe Foreign Advantages before Judges of ſuch approv'd Integrity, that they will undoubtedly weigh your Reaſons only, without counting the Suffrages, and Solicitations of your Friends.

I dare likewiſe boldly maintain, that, tho' all theſe illuſtrious Perſons out of their great Generoſity thought themſelves oblig'd to favour the abſent, and weakeſt Party; they can't poſſibly approve the Conduct of Madam *Mazarin*, nor wou'd in earneſt obſtruct her Reunion to Monſieur *Mazarin*.

In

In ſhort, GENTLEMEN, 'tis notorious that all Madam *Mazarin*'s Relations turn'd againſt her after her Eſcape, and joyn'd with Monſieur *Mazarin* in the Proſecution of the Indictment; and that they all ſign'd an Inſtrument, in which they deſir'd Monſieur the Conſtable not to receive her, that She might be oblig'd to return to her Husband; This Madam *Mazarin* confeſſes likewiſe in her Memoirs. What has happen'd ſince, that ſhou'd turn the Minds of thoſe very Relations, or their Children, ſo very contrary at this time?

'Tis true, that Madam the Dutcheſs of *Nevers* was not then of the Family; but the prudent Conduct of that Lady leaves us no room to doubt of the Judgment, that in her Heart ſhe makes of Madam *Mazarin*, tho' Family Reaſons oblige her to appear here to ſupport her Intereſts. Wou'd to Heaven, that Madam *Mazarin*, inſtead of begging her Aſſiſtance, wou'd improve by her Example; and imitate, I will not ſay all her Vertues, but ſome part only of her Regularity, Sweetneſs, and Complaiſance to the Will of Monſieur her Husband; it wou'd be more than

enough to reſtore Peace betwixt 'em, and to make Monſieur *Mazarin* compleatly happy.

I don't ſee, GENTLEMEN, that, in all that has been objected, there is any thing, that may ſtart to you the leaſt difficulty in doing Monſieur *Mazarin* the Juſtice he deſires. He expects it from you, as compleat, as he was about to have had it, as you have ſeen, from the Great Chamber, when they were obſtructed by the Flight of Madam *Mazarin*; and he has great Reaſon to expect as much from you, ſince the Conduct of the adverſe Party from that time has neither better'd her Cauſe, nor mended her Condition.

He does not fear, that in a Cauſe of ſuch importance, You ſhou'd, in the Judgment You give, take any Meaſures from the unjuſt Reluctance, which they, perhaps falſly, aſcribe to Madam *Mazarin*; We are not now to conſult, what the Inclinations of the Adverſe Party are, but to examine, and determine what is her Duty.

You have before You, GENTLEMEN, a Publick Concern, wherein you ought more to conſider the Intereſt of Diſci-

Diſcipline, than that of either Party. You are now to decide not between the private Intereſts of Monſieur and Madam *Mazarin* only; but between the Morals of the Publick on one ſide, and the Inclinations of Madam *Mazarin*, on the other. 'Tis in your Breaſts whether you will ſacrifice the former to the vain Niceties of the latter, or rather to her Errors, and Caprices.

Your Sentence is expected by the Publick, as an Example, that ſhall be remembred to the Maintenance of Diſcipline, and the Rights of Marriage, or that ſhall ſlacken 'em, and Authorize Licentiouſneſs; that ſhall break down the Barriers, and open a wide Field for Worldly, and Raſh Women, or that ſhall keep 'em in their Duty.

Without doubt, GENTLEMEN, you will not ſuffer it to be ſaid hereafter, that in the Reign under which we live, You introduc'd this pernicious Maxim, that the Devotion of a Husband, his Regularity, and Charity to the Poor, without Prodigality, were Reaſons ſufficient for a Wife to abandon him. 'Tis not poſſible, that while

we

we behold Piety upon the Throne of our Kings, that it ſhou'd be ſo far affronted in one of the moſt Sacred, and moſt Auguſt of their Courts of Juſtice, where it has always hitherto found moſt aſſur'd Protection.

AN

AN

EXTRACT

OF THE

DECREE.

BETWEEN the Lord ARMAND CHARLES Duke of MAZARIN, MEILLERAYE, and MAYENNE, Peer of FRANCE, Plaintiff, &c. *and Defendant on the one Part; And the Lady HORTENSIA MANCINI Dutchess of MAZARIN His Spouse, Defendant, and incidently Plaintiff,* &c. *on the other Part. After that* HERARD *for the Duke of MAZARIN,* SACHOT *for the Dutchess, and* BENNET *for the King's Proctor General have had six Hearings.* THE COUNCIL, *before they Determine upon the Request of the Duke of MAZARIN, Orders that the Dutchess of MAZARIN*

shall

shall within Three Months retire into the Convent of the Nuns of St. MARY DE CHAILLOT, *thence within Six Month to return to the House of the Duke of* MAZARIN: *And before they Determine upon the Remainder of the Dutchess of* MAZARIN'S *Demand, It is Order'd, that within one Month, She lay before 'em an Account of her Debts, that, whether the said Account be accorded, or contested by the Duke of* MAZARIN, *what is thereupon due, may be order'd by the* COUNCIL.

FINIS.

FACTUM

FOR

Madam the Dutcheſs of *Mazarin*;

AGAINST

Monſieur the Duke of *Mazarin*,
Her HUSBAND.

By Monſieur de St. *Evremont*.

THE PREFACE.

IT is not honeſt to pry into the Secrets of Families; much leſs to expoſe 'em publickly. But ſince Monſieur Mazarin *has thought fit to open 'em to the Great Council, and Monſieur* Herard *his Advocate to put 'em into Print, 'tis not fair that the World ſhou'd hear, but one ſide; And the Anſwer to the Pleadings falling into my Hands, I thought my ſelf bound to make the Publick Judge betwixt 'em: And I hope, that after a thorough Examination of the matter, Madam* Mazarin *will by common conſent be found worthy of a better Fate, and another ſort of Husband.*

If

If the Duke had proceeded no farther, than Coldneſs, Reſervedneſs, or Rigour, the Dutcheſs had quietly lamented her Misfortune in ſecret, in hopes at length by the conſtancy of her Sufferings, and the ſweetneſs of her Compliance, to have won upon ſo extravagant a Temper. But when he came to that degree of exceſs, that took away all her Repoſe; and to ſuch a rate of Profuſion, as muſt abſolutely ruine her Family, She had recourſe to thoſe Methods, that might preſerve her Eſtate, and Liberty.

The Relations treated, the Directors engag'd, the King interpos'd his Authority, but Monſieur Mazarin *perſiſted inflexible to all. Muſt a Wife be eternally enſlav'd to the Caprices, Enthuſiaſms, and falſe Revelations of her Husband?*

This is what Monſieur Herard *has maintain'd with as many Injuries, as Calumnies. Theſe few Paſ-*

ſages

ſages may ſerve to ſhew the violent Spirit of the Advocate.

Matters are come to that paſs in *England*, that 'tis no longer lawful for a Catholick, a *French* Man, nor ſcarce for an honeſt Man to ſtay in *London*. page 20.

If She had any Affection for their Perſons, any Gratitude for their Bounties, or indeed but a bare Senſe of Honour or Religion, She ought to have follow'd 'em. Cou'd She ſee, without horrour, the Uſurper of their Kingdoms, and the Enemy of our Faith, eſtabliſh his Dominion upon the Wrack of their Legitimate Throne, and the ruine of the true Religion? p. 21.

But which way can the Names of the King, and Queen of *Eng-*

land, be made uſe of to excuſe the Eſcape, and Abſence of Madam *Mazarin*, after what I have had the Honour to obſerve to the Council at the laſt Hearing? While She lives in the ſame Tranquility at *London* ſince their departure, that She did in their peaceful Reign; while She pays the ſame Incenſe to the Prince of *Orange*, that She offer'd to them, with as much baſeneſs and unworthineſs, as it was Honour to her, to pay that Reſpect which She ow'd to them. p. 42, 43.

What Excuſe has She now? Is the Prince of *Orange* her Kinſman? Are all theſe Gameſters, Libertines, Presbyterians, Epiſcopians, Quakers; In a word, are all this Rabble of all Religions, except the true one, which reſort

reſort to her Houſe, her Relations? p. 43.

Unleſs ſome ſplendid fit of Zeal makes her covetous of that glorious Palm; and gives her a holy Ambition of being ſacrific'd by that barbarous Nation. *p.* 101.

To cite all the Injurious things, that he ſays of Madam Mazarin, *and the* Engliſh *Nation, the whole Pleading muſt be tranſcrib'd.*

Monſieur Mazarin *can't deny, but that he has given occaſion for a lawful Separation. But he boaſts, that he has forgot nothing that might procure a Reunion; and 'tis certain that he ſent Articles to that purpoſe: The firſt of which, and which is the Hinge upon which all the reſt turn, was this;*

Nothing by Condition, all for Love.

In thoſe Difficulties, that will undoubtedly ariſe, a right Underſtanding, as ſoon as may be.

To Copy the beſt Management of the Kingdom, and by that Model to form ours.

Never to give the Publick any account of our Domeſtick Affairs; much leſs to let the Curious into any of our Secrets, but to tell 'em in ſhort, that we are very well reconcil'd.

Monſieur Mazarin *is not contented to have laid down Rules for the Conduct of Husband and Wife, but he muſt needs make Regulations thro' his whole Eſtate, without regard to the Authority of the Biſhops, or Governours. He begins with Eccleſiaſtical Affairs, which in Reaſon ought to go before the Civil. Theſe Articles being Printed, I ſhall mention 'em in groſs only.*

He enjoyns Good Order amongſt the Fryars; where, *as he ſays*, abundance of Abuſes are crept in.

He preſcribes to the Curates their Duty in their Parochial Maſſes, eſpecially in the Publication of Holy-days, and the Banns of Matrimony: Veſpers are not forgotten: He touches lightly upon the Sermon.

Proceeding to ſome Rules for Laymen, He orders an Apothecary, or his Boy, that Adminiſters a Clyſter, to be decently habited; and the Patient that receives it, to turn himſelf to him with all poſſible Modeſty.

He forbids Women to milk Cows, or ſpin with a Wheel, becauſe of a certain exerciſe of the Fingers, and motion of the Foot, which may give 'em looſe Ideas.

He requires abundance of Purity of the Women, that keep Sheep,

and more of the Men, that keep Goats.

For the Herdſmen, as well thoſe that keep Bulls, as thoſe that bring their Cows to 'em, muſt turn their Eyes from the Expedition, and pay according to a rate at which he has tax'd it.

Having a vaſt Extent of Land in divers Provinces, he takes his Progreſſes to ſee his Orders put in Execution; which being univerſally ill receiv'd, he purchaſes Obedience to 'em at an extravagant rate. His Train of his Fraternities, his Equipage of Zealots errant, half Eccleſiaſticks, half Seculars, wou'd make a very large Caravan in Aſia. *But this is not the leaſt magnificent way of ruining himſelf, that he has found out; yet it may ſuffice to juſtifie the Separation of Madam* Mazarin. *Let us hear her Advocate.*

AN

ANSWER

TO THE

PLEADING

OF

Monſieur Herard *Advocate*,

BEFORE THE

Great Council:

OR, RATHER,

To the Invective, *or* Libel, *Printed by Monſieur the Duke of* Mazarin, *againſt Madam the Dutcheſs, his Wife.*

'TIS a certain Truth, GENTLEMEN, that Impudence is not acquir'd in an inſtant. 'Tis by degrees, that Men arrive at the aſſurance of telling,

ing, and maintaining great Lies. Truth has no occaſion for Inſtructions, or Exerciſe. It is born with us; and we muſt do Violence to Nature to ſhake off our Veracity. Judge then, GENTLEMEN, how much Study, and Practice muſt have concurr'd to give Monſieur *Herard* the Perfection of his Talent. What Perverſions of Truth, what Suppoſitions, what Forgeries of Fact are neceſſary to form the Capacity of ſo great a Man!

To ſay, that Monſieur *Nevers* accompanied his Siſter to the end of the firſt Stage; which is falſe.

That Madam *Mazarin* carried off rich Moveables, and abundance of Plate, who never had abroad, either Goods, Plate, or Jewels, except one Necklace, which She uſually wore in *France*.

That She reſided in the Territories of the King of *Spain*, thro' which She only travell'd quietly as her way led her.

That She ſcandaliz'd all the Convents, where She has been; tho' we are Witneſſes how much She was made of, and what Honours were paid her by Madam *de Chelles*, Madam *Dulis*, and all the Superiours of the Houſes in which She liv'd.

That

That her Penſion in *England* was given her in acknowledgment of a Debt due to the Cardinal; a Debt which the two Kings always laugh'd at as Chimerical, and Ridiculous.

To invent a hundred things of this Nature, to diſguiſe, feign, and ſuppoſe, have been, as it were, the ſteps, by which Monſieur *Herard* has mounted to the heighth of his bold Elogy on Monſieur the Duke, and the Impudence of his Invective againſt Madam the Dutcheſs of *Mazarin.*

If all theſe Praiſes, all theſe Calumnies ben't the Creatures of your own Brain, tell us Monſieur *Herard*, who cou'd inform you of the Vertue of Monſieur *Mazarin?* Had you theſe fine Notions from the Court, from the Provinces, or from the Villages? Who has found out theſe ill Qualities in Madam *Mazarin?* Did your Information come from *Paris*, *Rome*, *Venice*, or *London?* I can give you better Lights concerning 'em both; and to hinder you from falling any more into Errour, in Charity I will tell you, that Monſieur *Mazarin* makes himſelf contemptible every where, as well where he is not, as where he is; and that Madam

Maza-

Mazarin is as generally eſteem'd, where-ever She is, or has been.

But in what Country are you? In what obſcure Hole do you ſpend your days, that you are ignorant how this Match with Monſieur *Mazarin* was brought about?

Monſieur the Cardinal, at the beginning of his Illneſs, was inquiſitive into the Merit of our Courtiers, in order to find one worthy of his lovely Niece, and fit to ſupport the Honour of his Name. As he had yet ſome remains of Vigour, he found no difficulty in reſiſting Virtue without Wealth; but his Infirmity encreaſing daily, and his Judgment impairing with his Strength, he cou'd not withſtand the falſe report of the Riches of Monſieur *Mazarin*.

This, Monſieur *Herard*, this was that Noble and Glorious Choice of Monſieur the Cardinal; a choice, to ſpeak ſoberly of it, that almoſt ruin'd his Reputation, notwithſtanding all the Merit of his paſt Life. By it he loſt the Reſpect of the Court; the moſt cautious cou'd not forbear their Railleries; and the Foreign Miniſters wrote to their Maſters, that they ought not any longer to make any account

account of his Eminency, ſince the ridiculous Match he had made.

What Averſion ſoever you may have for Truth, for once do your ſelf the violence to hear, what I have to ſay of Monſieur *Mazarin*. You can't have a greater Repugnance to Truth, than I have to Lies. Yet I have been forc'd to hear all you have ſaid of Madam *Mazarin*, with as much Villany, as Impudence. Upon the Death of Monſieur the Cardinal, the Courtiers, who did not yet underſtand the Niceneſs of the King's taſte, were afraid, that Monſieur *Mazarin* ſhou'd inherit as well the Favour, as the Eſtate, and Name of his Eminence. Monſieur *de Turenne* was heard to ſay, that if he ſhou'd ſee ſuch an Indignity, he cou'd leave *France* with the ſame eaſe, that he had heretofore done, when he went into the Service of Monſieur the Prince.

The Marſhal *de Villeroy*, who, having been his Majeſties Governour, ought to have been better acquainted with his Sagacity, was not without his Apprehenſions.

The Marſhal *de Clerambaut*, who had ſignaliz'd himſelf in ridiculing this Match, was allarm'd at it; but Monſieur *Mazarin*,

rin, more in their Intereſts, than his own, ſtaid only long enough at Court to decry himſelf, and to give the King that judicious contempt of his Perſon, which he has retain'd for him ever ſince.

Nevertheleſs, they were not yet abſolutely rid of their Fears. They were afraid that the Marſhal *de Meilleraye*, who in his time had always held the firſt Poſt in War, ſhou'd by his Example rouſe the Ambition of his Son, to make himſelf more conſiderable.

Monſieur *Mazarin* was too honeſt a Man to ſuffer the World to continue in an Errour. He bid farewell to War, as he had done to the Court; and you will grant me, GENTLEMEN, that 'twas none of the unwiſeſt Actions of his Life.

He had yet but too much left to make him conſiderable. His Places, Governments, and Riches, in which he outdid all the Subjects of *Europe*, procur'd him Reſpect enough; but like a Philoſopher, he ſhook off all theſe things, as ſuperfluous; or, like a Chriſtian, as dangerous to his Soul. However it were, he left himſelf nothing of that vaſt hoard ſo precious in the Opinion of Men.

Of

Of a thouſand Rarities which the Wealth, and Curioſity of the Cardinal had brought together, of an infinite number of Pictures, Statues, and Tapeſtries, all was either Sold, or disfigur'd; of all his Places he did not keep one; of all his Governments, he kept only that of *Alſace*, where he knew he ſhou'd not be ſuffer'd to command.

In ſhort, GENTLEMEN, I am aſham'd to Name the poor Remains of * Twenty Millions, that Madam *Mazarin* brought him; and the only reaſon, that he gives, is, that he can't in Conſcience keep ill gotten Wealth. It was not ill gotten, GENTLEMEN, it was not; the defence of the Crown againſt ſo many Forces within, and ſo great a Power without, was the Purchaſe of 'em, which the Bounty, and Juſtice of the King have confirm'd; but theſe Advantages have been as ill bequeath'd as they have been kept. The Memory of the Cardinal is reſponſible for the fooliſh choice he made of Monſieur *Mazarin*; and Monſieur *Mazarin* for the ill uſe of that vaſt Wealth.

* 1625000 *l. Sterling.*

Let us ſpare Madam *Mazarin* the Vexation of hearing a long deſcant upon the Con-

Confuſion of her Fortune: Let us ſpare Monſieur *Mazarin* the ſhameful remembrance of the manner of his confounding it.

'Tis a hard caſe for Madam *Mazarin* to have her Wealth confounded; a harder to bear continually the ſight of the Confounder of it. Theſe were the Entertainments of Madam *Mazarin*'s unhappy Journies; She expected the ſuccour of the Night, which relieves the moſt unhappy from the Senſe of their Miſeries; but this Comfort was denied her. No ſooner were her fair Eyes clos'd, but Monſieur *Mazarin* (who had the Devil always preſent in his black Imagination) this amiable Husband wakes his beſt Beloved, to make her Partaker—— You wou'd never gueſs of what, GENTLEMEN, to make her Partaker of his Midnight Viſions.

Flambeau's are lighted, and ſearch is made; but no Spectre does Madam *Mazarin find*, but that which lay by her in the Bed. His Majeſty was more obligingly treated; He was made the Confident of his Revelations, thoſe Divine Lights, which Monſieur *Mazarin*'s uſual Commerce with Heaven afforded him.

The

The World has been fully inform'd of his Revelations; and ſince Monſieur the Advocate has ſet ſuch a value upon that Devotion, which has procur'd him this Grace, I beg your Patience, GENTLEMEN, to hear ſome of the Effects of it; they are ſingular, and worth your Attention.

During the time that Monſieur *Mazarin* courted Mademoiſelle *Hortenſia*, he gave a Note for 50000 Crowns to Monſieur *de Frejus*, upon Condition, that he ſhou'd promote the Match, which with Reaſon he ſollicited ſo hotly. The Match was made, and Monſieur *de Frejus* had a great hand in it. But it being neither eaſie, nor honourable for a Biſhop to exact the Payment of ſuch a Note, he return'd it to Monſieur *Mazarin*, truſting rather to his Word, than his Note. Some time after this piece of Generoſity, the Biſhop had occaſion for Money to ſettle his Nephews, and demanded it of Monſieur *Mazarin*; who, doing violence to his good Nature, refus'd to pay it; being inform'd by his Director, that 'twas a more criminal Simony in him to purchaſe the Sacrament of Marriage, than in a Biſhop to purchaſe his Biſhoprick.

See, GENTLEMEN, the nice tender Conſcience of Monſieur *Mazarin*: Monſieur *de Frejus*, like a Biſhop as he was, wou'd have taken the Money, and never bogled at the Simony; Monſieur *Mazarin*, a meer Layman, makes a ſcruple of paying it, and religiouſly pays it not.

This is an Example, that will confirm your Opinion of his Piety.

Monſieur *Mazarin* had a Suit of great Importance, an Agreement very much to his Advantage was offer'd him; He anſwer'd thoſe, that propos'd it to him, That our Saviour came not to bring Peace into the World; that Controverſies, Diſputes, and Proceſſes were of Divine Right, but Accommodations of Humane Invention: That God had appointed Judges, but never thought of Arbitrators; and that therefore he was reſolv'd to be in Law all his Life, and never come to a Reference: A Promiſe that he has hitherto kept like a Chriſtian, and will ever.

Modeſty forbids me, GENTLEMEN, to open to you the occaſion of his Journey into *Dauphiny* to conſult Monſieur *de Grenoble*: I will only tell you, that a Caſe of Conſcience ſo extraordinary, a

ſcruple

ſcruple ſo nice, ſo delicate, was never heard before.

But the moſt ſignal Act of Monſieur *Mazarin*'s Devotion, was this: He caus'd one of Madam *de Richelieu*'s Children to be brought up, with expreſs Prohibition to the Nurſe from ſuckling it on *Fridays* and *Saturdays*; that inſtead of Milk they might ſuck in the holy uſe of Faſting and Mortification.

This is the Devotion of Monſieur *Mazarin*, of which his Advocate has the Confidence to give ſo great a Character; a Devotion, that ſerves to confirm our Refugees in their Belief; tho' the Catholicks, as well as they, laugh at ſo ridiculous a Piety; and you, GENTLEMEN, whoſe Piety is ſo ſolid, diſapprove no leſs than the Proteſtants themſelves.

The greateſt Misfortune, that can befall a Man, is to be depriv'd of ſo much Senſe, as is neceſſary to Humane Society. The next, to be oblig'd to live with thoſe, that are. Theſe two Calamities are to be found in Extremity in the unhappy Marriage of Monſieur and Madam *Mazarin*.

Nature has ſet Monſieur *Mazarin* at ſuch a diſtance from Reaſon, that 'tis

almoſt impoſſible they ſhou'd ever come together: The only excuſe that his Friends, if he has any, can make for his Conduct.

Madam *Mazarin* has by her ill Fortune been compell'd to live with Monſieur *Mazarin*. Joyning the Living to the Dead was not a greater cruelty, than linking Prudence to its Reverſe; yet this Torment was Madam *Mazarin* for five years forc'd to endure: Beſieg'd all day, alarm'd all night, fatigu'd with Journey upon Journey, to no purpoſe; ſubject to extravagant and tyrannical Orders, ſeeing none but Spies, or Enemies; and which is the worſt of all Conditions, unhappy without Conſolation.

Any other Woman wou'd have defended her ſelf from Oppreſſion, by an open Reſiſtance; Madam *Mazarin* ſought only to eſcape from her Misfortunes, and to find in the Place of her Birth, among her Relations, that Security, and Repoſe, which She had loſt.

While She was at *Rome*, She was honour'd by all that were Illuſtrious, and Great there. Upon her return to *France*, She obtain'd of the King a Penſion for her Subſiſtance, and an Officer and Guards for her Convoy out of the King-

Kingdom, where She neither cou'd, nor wou'd ſtay.

After ſo long fluctuation, She fix'd her retreat at *Chambery*, where She paſs'd three years undiſturb'd in Study and Reflection; at the end of which She came by the Permiſſion of his Majeſty, into *England*. All the World knows the regard that King *Charles*, and King *James* had for her: All the World knows the Favours that She receiv'd from 'em; Favours beſtow'd only on her Perſon, without relation to Monſieur the Cardinal's Demand. 'Tis therefore to the meer Bounty of their Majeſties, that She owes her Subſiſtance. For her Husband, as juſt, and charitable, as he is devout, had procur'd the Penſion to be taken away, which the King of *France* gave her.

This is acting little like a Chriſtian, Monſieur *Mazarin*, tho' you talk of nothing but the Goſpel. True Chriſtians render good for evil; you leave a Wife to ſtarve, that brought you a greater Fortune, than all the Queens of *Europe* together, brought to the Kings their Husbands.

True Chriſtians pardon the Injuries they receive; you can't forgive thoſe, that you do.

One Perſecution draws on another; your ill Humour grows fierce, and your blood's warm in Miſchief; and the more you perſecute, the more you inflame the Perſecution.

Is it not enough to rob Madam *Mazarin* of all, while you Live? Muſt you needs take pains to make her miſerable after your Death? Muſt you needs be ſolicitous to provide, that her Misfortunes may be endleſs, and continue when you ſhall no longer be in a Capacity to take Pleaſure in 'em?

Don't think, that it ſuffices, that your Advocate's Mouth is perpetually full of *The Auguſt and Venerable Name of Husband, the Sacred Bands of Marriage, of Civil Society*: We have for us Monſieur *Mazarin* againſt the Husband: We have his vile Qualities againſt theſe fine, magnificent Expreſſions. Our firſt Engagements are to Reaſon, Juſtice, and Humanity, and the Quality of a Husband can't diſpenſe with ſo natural an Obligation. When a Husband becomes extravagant, unjuſt, or inhumane, he turns Tyrant, he breaks the Society, which he contracted for with his Wife. The right of Separation is already made, the Judges make it not, they only publiſh

liſh its validity by a ſolemn Declaration. Now that Monſieur *Mazarin* is plentifully provided of all thoſe Qualities, that make ſuch a Divorce, no one can doubt.

His Humour, his Proceedings, his Conduct, all his Actions prove it. The difficulty will be to find one that does not, and Monſieur *Herard* has a fine Task to ſeek what is not to be found. He'll tell us, that Monſieur *Mazarin* is devout; I own it, but his Devotion is ſuch as ſcandalizes all good Men. He'll ſay, that he faſts, and mortifies himſelf; 'tis true, but the Pain, that he puts others to, affords him more Pleaſure, than his Auſterities give him Pain. To refrain from Miſchief, to abſtain from doing Evil, were an abſtinence agreeable to God, and uſeful to Men. But the Mortification wou'd be too great for Monſieur *Mazarin*, and without an extraordinary Grace from Heaven, he will never put it in Practice.

From his Religion Monſieur *Herard* will perhaps deſcend to his Morals, and tell us of his Liberality; to which we ſhall oppoſe his Avarice in all honeſt things, and his Prodigality in things that are not ſo. To ſpeak properly, he gives

nothing, but he throws away all: He takes from his Wife and Children, what he laviſhes upon Strangers.

Virtues change their Nature in his hands, and become more criminal, than Vices.

Wou'd to God, GENTLEMEN, we had occaſion for falſe Vices, as Monſieur *Herard* has had for ſham Virtues: To our Misfortune we have but too many real ill Qualities to alledge.

Vexatious Suits with his Neighbours, irreconcilable Quarrels with his Friends, tyrannical Treatment of his Children, and perpetual Perſecution of his Wife, are the ſad and inconteſtable Proofs of our Allegations.

As for Monſieur *Herard*, after having rejected all Truth, as low, groſs, and unbecoming the delicacy of his Wit, after having exhauſted his copious Imagination, in inventing, feigning, and giving falſe Colours of Virtues to Vices, and of Vices to Virtues, baulk'd of the Succeſs of his Artifices, he has recourſe to Laws extinct, whoſe Authority he wou'd revive. He flies to the old, ridiculous Novel of *Juſtinian*, a pretty Refuge for ſo famous an Advocate.

Let

Let us ſee this terrible Law, GENTLEMEN, ſo redoutable to Humane Society; this Novel, that takes from honeſt Folks the ſweeteſt Conſolation of Life, by puniſhing a reaſonable, and innocent Converſation.

If a Woman eats with Men without the Permiſſion of her Husband, She loſes her Rights; She can claim no benefit of her Marriage Articles.

Happily for us this Novel is not in force at this time. If this good Law had held its Credit, every Wife in the *Low Countries*, *France*, and *England*, had forfeited her Jointure.

I wonder that Monſieur *Herard*, to ſhew his Skill in Antiquity, did not lead you from the time of *Juſtinian*, to that of *Romulus*, when Husbands, and Fathers us'd always upon their firſt coming home, to kiſs their Wives, and Daughters, to diſcover whether they had drank Wine, or not; and if they had, they puniſh'd 'em for thoſe Faults, which Wine might occaſion, altho' the Faults were not really committed.

I confeſs, that the Laws give a very great Power to Husbands, but then there were no *Mazarins*, when they were made; if there had, the whole Autho-

rity had been lodg'd in the Woman. Reaſon taught the Antients to make juſt Laws, or ſuch at leaſt as were neceſſary for the Government of their Age: But you, GENTLEMEN, are not to be concluded by 'em againſt the Rights of your own; you have ſtill the Liberty of judging Soveraignly of your own Intereſts by your own Lights.

Husbands wou'd be too happy, if Monſieur *Herard*'s Enthuſiaſm might prevail: Wives too unhappy, if it had any Influence over your Judgments.

To be a Husband, wou'd be ſufficient to excuſe all Faults, juſtifie all Crimes, and commend all Defects.

To be a Wife, enough to ſuffer Innocent, to be deſpis'd for Merit, and decry'd for Virtue.

Let Monſieur *Mazarin* ſpoil, waſte, and ruine all, he is Maſter; He's the Husband: Let Madam *Mazarin* be left to Neceſſity, abandon'd to Miſery, and the Tyranny of her Creditors: What Right has She to complain of Monſieur *Mazarin*? Says his Advocate, She's his Wife.

A Cuſtom of the *Greeks*, a Law of the *Romans*, or ſome Novel of *Juſtinian*, are matter ſufficient for a Declamation.

Madam

Madam *Mazarin* eats with Men without leave from Monſieur *Mazarin*, She loſes her Dower, and Matrimonial Rights. She loſes all that She can pretend to.

Moderate your ſelf Monſieur *Herard*, cool a little. Otherwiſe I ſhall beſtow that Character upon you, that *Saluſt* does on *Cataline*,

Eloquentiæ ſatis; Sapientiæ parum.

Eloquence enough, very little Senſe.

Let us come to the wonderful Revolution, which we can't think on without aſtoniſhment. Here it was, ſays Monſieur *Herard*, that She ought to have left *England*, and thereupon he aggravates the Shame of her ſtaying behind the Queen, to whom She had the Honour to belong.

No doubt but Madam *de Bouillon*, and Madam *Mazarin* wou'd have waited on the Queen with Pleaſure; but the Secret of leaving her Kingdom was of ſuch Importance, that it was not imparted to any one; ſo that the Ladies were left of Neceſſity in a Storm, which nothing

but

but the Presence of the new Prince cou'd allay.

Since that time, it has been impossible for Madam *Mazarin* to leave a Country, where She has been in a manner block'd up by her Creditors; or rather by Monsieur *Mazarin*, who has forc'd her to contract inevitable Debts, which he will not pay.

He demands with the Authority of a Husband so dear to his Advocate, that She return to *Paris*, while he necessitates her Absence, and complains of the Separation, which he causes. He pretends to desire her Person, but in Reality he covets only the Estate, that he may compleat the Confusion of it.

The Parliament of *England* wou'd have sent away Madam *Mazarin*, I confess, but She had no occasion to ask the Protection of the present King, his Justice prevented her Request.

But tell me, Monsieur Advocate, who set you on to declaim so furiously against the King? You call him the Destroyer of our Faith without Reason. But for his Humanity, Goodness, and Protection, not a Catholick had been left in *England*. You thought to make your Court by it to the King of *France*, and are mistaken.

ſtaken. A Prince, that has ſo true a taſte of Glory, a Prince ſo clear-ſighted, diſtinguiſhes great Merit, wherever he finds it. His Judgment, and his Affections don't act always in concert; His Generoſity to his unfortunate Friend does not hinder him from being juſt to the Virtues of his Enemy.

To return to Madam *Mazarin*, it remains only that I juſtifie her againſt three Charges, which will give me very little trouble.

The firſt is, That She keeps a Bank; the ſecond, That She ſees Epiſcopal Proteſtants, and Presbyterians; the third, That She converſes with *Milords*.

Hear, GENTLEMEN, hear your Orator Thunder. Never did *Demoſthenes* of *Greece* flaſh his Wild-fire againſt *Philip*, at the rate that *Herard* of *France* does his againſt Madam *Mazarin*.

Madam *Mazarin* keeps a Bank, what a Diſorder is this! a Baſſet Table in her Houſe, what a Shame!

She ſees Church of *England* Men, and Presbyterians; O Impiety in a Catholick! the Wife of Monſieur *Mazarin* devoted abſolutely to Congregations, and Fraterni-

Fraternities, ſpeaks to *Milords*; O Depravation of Manners!

O Tempora, O Mores!

Cool this heat of Eloquence, Monſieur Orator, and bring your ſelf into Temper. Great Genius's are apt to fly out; Give a little Attention, afford your ſelf leiſure to conſider things a little.

Do you think, that three Great Queens, Devout and Virtuous, as any ever were; Queen *Katherine*, Queen *Mary* now in *France*, the preſent Queen of *England*, and the Princeſs her Siſter, who is ſo regular; Do you think, they wou'd have had publick Baſſet Tables, if Baſſet was not an honeſt Diverſion, an innocent Game.

The Accuſation of ſeeing Church of *England* Men, and Presbyterians is ridiculous. To reproach Madam *Mazarin* for ſeeing Proteſtants at *London*, is altogether as juſt as to upbraid Proteſtants with ſeeing Catholicks at *Rome*.

But if it be a Crime to ſee Proteſtants in *England*, ſure 'tis much more ſo to eſpouſe 'em. Yet a Daughter of *France*, an Infanta of *Portugal* made no difficulty of it. Their Chamberlains, their Ladies

of

of Honour were Proteſtants. The Principal Officers to Queen *Mary* were ſuch; then how cou'd Madam *Mazarin* go to Court without ſeeing 'em? The Queen's Eyes cou'd bear the ſight; why ſhou'd it offend Madam *Mazarin*'s?

But if ever any Perſons ſignaliz'd their Zeal for the Catholick Religion, 'twas King *James*, and Queen *Mary*; yet they made no ſcruple of being crown'd at *Weſtminſter*; of Praying with the Biſhops, and Receiving the Crown from the Hands of the Archbiſhop of *Canterbury*.

Society has indiſpenſable Laws, Laws equally Enemies to Impiety, and difficult Scruples.

We are come now to the *Milords*, which Monſieur *Herard* is as great a Stranger to, as the *Baſſa*'s, and *Mandarins*. I'll inform him then, that theſe *Milords* are the Peers of the Realm of *England*, the moſt conſiderable Subjects of the Nation

Madam *Mazarin* will confeſs, that She knows a great many, whom She eſteems as much for their Merit, as She reſpects 'em for their Rank, and Quality; She will own, that She has receiv'd great Services from 'em in difficult Times,

that

that they have given her great Aſſiſtance in her Neceſſities; after this Confeſſion, methinks I hear Monſieur *Herard* exclaim,

O! Depravation of Manners!

O Tempora, O Mores!

But he muſt give me leave to anſwer with more Reaſon.

O Stultitiam inauditam!

O unheard of Impertinence!

Well! GENTLEMEN, Let Monſieur *Mazarin* have leave to diſhonour the Name he bears thro' all the Villages; let him ſettle the great point of keeping Sheep decently; let him tax the leaps of Bulls.

He ſhall give Rules to Apothecaries Boys for the decent Adminiſtration of Clyſters; and prohibite Women from Milking Cows, and Spinning at the Wheel.

And ſhall not Monſieur Orator ſuffer Madam *Mazarin* to ſupport the Dignity of her Name in all Courts and Nations where She comes.

You

You are Eloquent, Monſieur *Herard*, you talk well: But fine things without Reaſon, make no Impreſſion upon ſound Judgments: Madam *Mazarin* ſhall return to her Husband to be admitted into the Society of Shepherds, Herdſmen, Apothecaries Boys, Milk Women, and Spinners at the Wheel. This is what all your fine Words will never perſwade Men of Senſe to. If you harangued to ignorant People, you might dazle, if not move 'em; but to your Misfortune, you have to do with Judges of Sagacity, Wiſe Men, provided againſt your falſe Lights, and all your vain Exaggerations.

I wiſh, GENTLEMEN, that Monſieur, and Madam *Mazarin* cou'd appear before you together at a Hearing, you wou'd read their Separation in their Faces. Every Line in Monſieur *Mazarin*'s wou'd confirm it.

Heaven has already made the Separation by the contrariety of their Humors, the oppoſition of their Tempers; by their good and bad Inclinations; by the Greatneſs of one's Soul, and the Meanneſs of t'others.

Nature has ſeparated 'em as well as Heaven, by a Beauty that Charms all Eyes, and an Aſpect that Offends all.

Some

Some unluckey Star knit this Knot, which Reaſon has inſtructed Madam *Mazarin* to untye.

Thus, GENTLEMEN, you have before you, the Cauſe of Heaven, of Nature, and of Reaſon: 'Tis hop'd your Wiſdom will give the finiſhing ſtroke to this great Work; that it will confirm this Separation for ever; and, taking out of his Hands the Adminiſtration of the Eſtate, ſecure to the Children the poor Remainders of that prodigious Wealth, which he has confounded.

F I N I S.

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11-14-84